

AMENDED IN ASSEMBLY JUNE 10, 2016

AMENDED IN ASSEMBLY MAY 25, 2016

SENATE BILL

No. 831

Introduced by Committee on Budget and Fiscal Review

January 7, 2016

~~An act relating to the Budget Act of 2016.~~ *An act to amend Section 155 of the Code of Civil Procedure, and to amend Sections 11253.4, 11320.32, 11402, 11450.025, 11461.3, 11465, 12301.02, 15200, 16519.5, 17601.50, and 18910.1 of, to amend and repeal Sections 11322.63 and 11450.04 of, to amend, repeal, and add Sections 11320.15, 11322.64, 11323.25, and 11450 of, to add Sections 11253.45, 11322.83, 11461.4, 12201.06, 16501.9, and 18920 to, to add Article 6 (commencing with Section 16523) to Chapter 5 of Part 4 of Division 9 of, to add Chapter 17 (commencing with Section 18999) to Part 6 of Division 9 of, and to repeal Section 15200.15 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

SB 831, as amended, Committee on Budget and Fiscal Review.
~~Budget Act of 2016.~~ *Public social services omnibus.*

(1) Existing federal law, the Immigration and Nationality Act, establishes a procedure for classification of certain aliens as special immigrants who have been declared dependent on a juvenile court and authorizes those aliens to apply for an adjustment of status to that of a lawful permanent resident within the United States. Under federal regulations, an alien is eligible for special immigrant juvenile status if, among other things, he or she is under 21 years of age. Existing state

law provides that the juvenile, probate, and family divisions of the superior court have jurisdiction to make judicial determinations regarding the custody and care of children within the meaning of the federal Immigration and Nationality Act.

This bill would clarify that the court has jurisdiction to make the factual findings necessary to enable a child to petition the United States Citizenship and Immigration Services for classification as a special immigrant juvenile. The bill would also provide that the factual findings may be made at any point in a proceeding, as specified, if certain requirements are met.

(2) Existing law requires the court, upon request, to make the necessary findings regarding special immigrant juvenile status if there is evidence to support those findings, which may consist of, but is not limited to, a declaration by the child who is the subject of the petition. Existing law also authorizes the court to make additional findings that are supported by evidence if requested by a party.

This bill would specify that the evidence to support those findings may consist solely of, but is not limited to, the above declaration. The bill would also authorize the court to make the additional findings only if requested by a party. The bill would provide that the asserted, purported, or perceived motivation of the child seeking classification as a special immigrant juvenile is not admissible in making findings and would prohibit the court from including or referencing the motivation of the child, as specified, in the court's findings.

(3) Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law requires a recipient of CalWORKs to participate in welfare-to-work activities as a condition of eligibility. Under existing law, a recipient of CalWORKs aid is required to assign to the county any rights to child support for a family member for whom the recipient is receiving aid, as specified. Existing law also requires the first \$50 of any amount of child support collected in a month to be paid to a recipient of CalWORKs aid.

Existing law also establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Under existing law, a child who is placed in the home of a relative is eligible for AFDC-FC only if he or she is eligible for federal financial participation in the AFDC-FC payment.

Existing law establishes the Approved Relative Caregiver Funding Option Program, in counties that choose to participate, for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. Under existing law, a child who is eligible for the Approved Relative Caregiver Funding Option Program is not subject to the requirements of CalWORKs, except as specified.

This bill would specify that the above-described CalWORKs requirements relating to the assignment of child support apply to assistance units participating in the Approved Relative Caregiver Funding Option Program. The bill would state that these provisions are intended to clarify existing law.

(4) Existing law requires a county that has opted into the Approved Relative Caregiver Funding Option Program to pay an approved relative caregiver a per child per month rate that is equal to the basic rate paid to foster care providers and that is funded, in part, through the CalWORKs program.

This bill, commencing January 1, 2017, would generally require a child who has been placed in the home of a relative who has been approved as a resource family to receive a grant that equals the resource family basic rate at the child's assessed level of care, as specified. By requiring counties to increase grants to children who are placed in the home of a relative who has been approved as a resource family, this bill would impose a state-mandated local program.

(5) Existing law requires that, in order to be eligible for AFDC-FC, a child be placed in one of several specified placements, including the approved home of a resource family, and provides that a child placed with a resource family is eligible for AFDC-FC payments.

This bill, commencing January 1, 2017, would instead provide that a child placed in the approved home of a resource family is eligible for AFDC-FC if the caregiver is a nonrelative or the caregiver is a relative and the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment. The bill would also specify that a child placed with a resource family is eligible for the resource family basic rate.

(6) Existing law authorizes the Director of Social Services to enter into an agreement with a tribe, consortium of tribes, or tribal organization, regarding the care and custody of Indian children and jurisdiction over Indian child custody proceedings, under specified

circumstances. Existing law requires these agreements to provide for the delegation to the tribe, consortium of tribes, or tribal organization, of the responsibility that would otherwise be the responsibility of the county for the provision of child welfare services or assistance payments under the AFDC-FC program, or both. Existing law requires the State Department of Social Services to annually allocate appropriated funds to each federally recognized American Indian tribe with reservation lands or rancherias in the state that administers a federal tribal Temporary Assistance for Needy Families (TANF) program.

This bill would establish the Tribal Approved Relative Caregiver Funding Option Program and would require participating tribes that opt to participate in the program to pay an approved relative caregiver a per child per month rate, as specified, in return for the care and supervision of an AFDC-FC ineligible child placed with the approved relative caregiver if the participating tribe has notified the department of its decision to participate in the program, as specified, and certain requirements are met, including that the child resides in California. The bill would require the department, in consultation with the participating tribe, to determine the initial base caseload of the tribe and to determine the amount necessary to fund the base caseload.

(7) Existing law requires, when a child is living with a parent who receives AFDC-FC or Kin-GAP benefits, that the rate paid to the foster care provider on behalf of the parent include an additional amount, known as an infant supplement, for the care and supervision of the child. Existing law requires the State Department of Social Services to adopt a uniform rate for the infant supplement for each category of eligible licensed community care facility.

This bill, commencing July 1, 2016, would require the infant supplement rate to be increased by \$489 per month, if funding for this purpose is appropriated in the annual Budget Act.

(8) Existing law requires the State Department of Social Services to administer a voluntary Temporary Assistance Program (TAP) to provide cash assistance and other benefits to specified current and future CalWORKs recipients who meet the exemption criteria for participation in welfare-to-work activities and are not single parents who have a child under one year of age. Existing law requires the TAP to commence no later than October 1, 2016.

This bill would make that provision inoperative on June 30, 2016.

(9) Existing law requires, for counties that implement a welfare-to-work plan that includes subsidized private sector or public

sector employment activities, the State Department of Social Services to pay the county 50%, less \$113, of the total wage costs of an employee for whom a wage subsidy is paid, subject to specified conditions.

This bill would make that provision inoperative on July 1, 2016, and would repeal that provision on January 1, 2017. The bill would make related changes.

(10) Existing law requires the department to develop an allocation methodology to distribute additional funding for expanded subsidized employment programs for CalWORKs recipients.

This bill would require, on and after July 1, 2016, a county that accepts additional funding for expanded subsidized employment in accordance with that provision to continue to expend no less than the aggregate amount of specified funding received by the county that the county expended on subsidized employment in the 2012–13 fiscal year, except as specified.

(11) Existing law requires a recipient of CalWORKs to participate for a specified number of hours each week in welfare-to-work activities as a condition of eligibility.

The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. Existing federal law requires the local chief elected officials in a local workforce development area to form, pursuant to specified guidelines, a local workforce development board to, among other things, plan and oversee the workforce development system and lead efforts in the local area to develop and implement career pathways within the local area.

This bill would deem a recipient who is making satisfactory progress in a career pathway program established in accordance with the federal Workforce Innovation and Opportunity Act to be in compliance with the hourly participation requirements of the CalWORKS program under specified conditions. By increasing the duties of counties administering the CalWORKs program, the bill would impose a state-mandated local program.

(12) As part of the CalWORKs program, existing law provides that a homeless family that has used all available liquid resources in excess of \$100 may be eligible for homeless assistance benefits to pay the costs of temporary shelter. The CalWORKs program also provides permanent housing assistance to pay rent or a security deposit, as specified, in order to secure housing for the family or prevent eviction.

Under existing law, eligibility for temporary shelter assistance is limited to one period of up to 16 consecutive days of temporary assistance in a lifetime, and eligibility for permanent housing assistance is limited to one payment of assistance, subject to specified exceptions. Existing law provides that a family that includes a parent or nonparent caretaker relative living in the home who has previously received temporary or permanent homeless assistance at any time on behalf of an eligible child is not eligible for further homeless assistance.

This bill, commencing January 1, 2017, would expand the provision of temporary shelter assistance and permanent housing assistance to be available every 12 months. The bill would make conforming changes regarding an applicant for homeless assistance benefits being informed of the availability of the benefits every 12 months. The bill would delete the above limitation on a family's eligibility for homeless assistance. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.

(13) Existing law, referred to as the maximum family grant rule, prohibits the number of needy persons in the same family from being increased, for purposes of determining a family's maximum aid payment, for any child born into a family that has received aid under the CalWORKs program continuously for the 10 months prior to the birth of the child, with specified exceptions.

This bill would repeal the maximum family grant rule on January 1, 2017.

(14) Existing law establishes maximum aid grant amounts to be provided to each family receiving aid under CalWORKs. Existing law increases the maximum aid payments by 5% commencing March 1, 2014, and by an additional 5% commencing April 1, 2015. Existing law specifies a process by which increases may be made to the maximum aid payments depending on projections of revenue and costs by the Department of Finance.

This bill would, effective October 1, 2016, increase the maximum aid grant amounts by an additional 1.43%. The bill would also, effective January 1, 2017, require households eligible for CalWORKs aid to receive an increased aid payment consistent with the repeal of the maximum family grant rule and would require those costs to be paid from moneys deposited into the Child Poverty and Family Supplemental Support Subaccount. To the extent that this bill affects eligibility under the CalWORKs program, the bill would impose a state-mandated local program.

(15) Existing law establishes the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law provides, as part of the Coordinated Care Initiative, that IHSS is a Medi-Cal benefit available through managed care health plans in specified counties. Existing law provides for a 7% reduction in authorized hours of service to each IHSS recipient, as specified.

Existing law, commencing July 1, 2016, until July 1, 2019, establishes a managed care organization provider tax, to be administered by the State Department of Health Care Services, as specified, subject to approval from the federal Centers for Medicare and Medicaid Services, as specified.

This bill would suspend the 7% reduction in hours of service to each IHSS recipient until July 1, 2019, if the managed care organization provider tax remains operative. The bill would require the reduction to be reinstated by a specified date if the managed care organization provider tax ceases to be operative for any reason. By increasing the administrative duties of counties under the IHSS program, this bill would impose a state-mandated local program.

(16) Existing law requires the State Department of Social Services to implement a single statewide Child Welfare Services Case Management System (CWS/CMS) to administer and evaluate the state's child welfare services and foster care programs.

This bill would require the State Department of Social Services and the Office of Systems Integration (OSI), in collaboration with the County Welfare Directors Association (CWDA), to seek resources to enable the necessary level of engagement by the counties in the Child Welfare Services-New System (CWS-NS), as specified. The bill would require the department and OSI to provide a voting seat on all governance bodies of the CWS-NS for a CWDA representative. The bill would also require the department and OSI to continue to provide monthly updates to the Legislature and to stakeholders, including CWDA, regarding efforts to develop and implement the CWS-NS. The bill would also require CWS/CMS operations and functionality to be maintained at a level at least commensurate with its December 2015 status, as specified. The bill would make related findings and declarations.

(17) Existing law establishes a system of statewide child welfare services, administered by the State Department of Social Services and

county child welfare agencies, with the intent that all children are entitled to be safe and free from abuse and neglect.

This bill would establish the Bringing Families Home Program, and would, to the extent funds are appropriated in the annual Budget Act, require the State Department of Social Services to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness if specified criteria are met. The bill would require the department to award program funds to counties according to criteria developed by the department, in consultation with specified entities, subject to a requirement that a county that receives funds under the program provide matching funds for these purposes, as specified.

(18) Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services to redetermine recipient eligibility and grant amounts under CalFresh on a semiannual basis, as specified. Existing law states the intent of the Legislature to assign certification periods for CalFresh households that are the maximum number of months allowed under federal law based on the household's circumstances, subject to a specified exception.

This bill would instead require the assignment of certification periods in the above-described manner, as specified, and would provide an additional exception, on a case-by-case basis only, for a household's individual circumstances requiring a shorter certification period. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.

(19) Existing law, the State Department of Health Services Cooperative Agreement Act, provides for the establishment of cooperative agreements between the State Department of Public Health and other public and private entities for the purposes of, among other things, simplifying the administration of public health programs by the department. The act requires cooperative agreements to be subject to review and approval by the Department of General Services with certain exceptions.

This bill would deem an agreement between the State Department of Social Services and a unit of local government, any other unit of state government, or a nonprofit organization that provides for a contract relating to outreach programs related to CalFresh and the Supplemental

Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant Program to be a “cooperative agreement,” as defined. The bill would specify that these changes apply retroactively.

(20) Existing federal law establishes various disability benefits programs, including the Supplemental Security Income (SSI) program, under which cash assistance is provided to qualified low-income aged, blind, and disabled persons, and the Social Security Disability Insurance (SSDI) program, under which benefits are provided to persons with disabilities who have paid social security taxes. Existing federal law also provides for disability compensation for veterans under specified circumstances.

Existing state law provides for disability benefits programs, including the State Supplementary Program for the Aged, Blind, and Disabled (SSP), under which state funds are provided in supplementation of federal SSI benefits, and the Cash Assistance Program for Immigrants, which provides benefits to aged, blind, and disabled legal immigrants who meet specified criteria. Existing law also establishes various housing programs directed by the Department of Housing and Community Development, including special housing programs to provide housing assistance for persons with developmental and physical disabilities and persons with mental health disorders.

This bill would establish the Housing and Disability Income Advocacy Program under the administration of the State Department of Social Services, subject to an appropriation of funds in the annual Budget Act. The program would provide state grant funds to participating counties for the provision of outreach, case management, and advocacy services to assist clients who are homeless or at risk of becoming homeless to obtain disability benefits. The bill would require participating counties to provide housing assistance to these clients during their application periods for disability benefits programs, as specified. The bill would also require participating counties to annually report to the department regarding their funding of advocacy and outreach programs and use of state funding provided under the program, as specified. The bill would require the department to periodically inform the Legislature of the implementation progress of the program, to make related data available on the department’s Internet Web site, and to report to the Legislature by October 1, 2018, regarding the implementation of the program, as specified.

(21) Under existing law, benefit payments under SSP are calculated by establishing the maximum level of nonexempt income and federal

SSI and state SSP benefits for each category of eligible recipient. The state SSP payment is the amount required, when added to the nonexempt income and SSI benefits available to the recipient, to provide the maximum benefit payment. Existing law prohibits, for each calendar year, commencing with the 2011 calendar year, any cost-of-living adjustment from being made to the maximum benefit payment unless otherwise specified by statute, except for the pass along of any cost-of-living increase in the federal SSI benefits. Existing law continuously appropriates funds for the implementation of SSP.

This bill, commencing January 1, 2017, would increase the amount of aid paid under SSP that is in effect on December 31, 2016, less the federal benefit portion received, by 2.76%. The bill would instead provide that the continuous appropriation would not be made for purposes of implementing these provisions.

(22) Existing law requires the State Department of Social Services and the State Department of Health Care Services to carry out specified duties relating the administration of foster care services.

The bill would require the State Department of Social Services and the State Department of Health Care Services, during the 2017 and 2018 legislative budget hearings, to update the legislative budget committees on activities taken by the departments to implement specified reform measures relating to foster care. The bill would also require the State Department of Social Services to convene stakeholders, including county placing agencies, providers, foster youth, and legislative staff, commencing no later than July 1, 2016, to discuss the adequacy of the proposed foster care rates and rate structure and the extent to which the rates will achieve the desired outcomes for those reform measures, to report to legislative budget committees, and to provide updated project costs, as specified.

(23) The bill would authorize the State Department of Social Services to adopt emergency regulations implementing specified provisions of the bill.

(24) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains

costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(25) Existing federal law provides for the allocation of federal funds through the federal TANF block grant program to eligible states. The state CalWORKs program is funded through a combination of federal funds received through the federal TANF block grant program and state and county funds. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

By expanding eligibility for, increasing assistance payments to recipients of, and adjusting funding formulas for counties providing benefits under, the CalWORKs program, and by providing funding for the Tribal Approved Relative Caregiver Funding Option Program, which is also funded by TANF, the bill would make an appropriation.

(26) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2016.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 155 of the Code of Civil Procedure is
2 amended to read:

3 155. (a) (1) A superior court has jurisdiction under California
4 law to make judicial determinations regarding the custody and
5 care of children within the meaning of the federal Immigration
6 and Nationality Act (8 U.S.C. Sec. ~~1101(a)(27)(J)~~ 1101 *et seq.* and
7 8 C.F.R. Sec. 204.11), which includes, but is not limited to, the
8 juvenile, probate, and family court divisions of the superior court.
9 These courts ~~may~~ have jurisdiction to make the *factual* findings
10 necessary to enable a child to petition the United States Citizenship
11 and Immigration ~~Service~~ *Services* for classification as a special
12 immigrant juvenile pursuant to Section 1101(a)(27)(J) of Title 8
13 of the United States Code.

14 (2) *The factual findings set forth in paragraph (1) of subdivision*
15 *(b) may be made at any point in a proceeding regardless of the*
16 *division of the superior court or type of proceeding if the*
17 *prerequisites of that subdivision are met.*

(b) (1) If an order is requested from the superior court making the necessary findings regarding special immigrant juvenile status pursuant to Section 1101(a)(27)(J) of Title 8 of the United States Code, and there is evidence to support those findings, which may consist *solely* of, but is not limited to, a declaration by the child who is the subject of the petition, the court shall issue the order, which shall include all of the following findings:

(A) The child was either of the following:

(i) Declared a dependent of the court.

(ii) Legally committed to, or placed under the custody of, a state agency or department, or an individual or entity appointed by the court. The court shall indicate the date on which the dependency, commitment, or custody was ordered.

(B) That reunification of the child with one or both of the child's parents was determined not to be viable because of abuse, neglect, abandonment, or a similar basis pursuant to California law. The court shall indicate the date on which reunification was determined not to be viable.

(C) That it is not in the best interest of the child to be returned to the child's, or his or her parent's, previous country of nationality or country of last habitual residence.

~~(2) If requested by a party, the~~ The superior court may make additional findings *under this section* that are supported by ~~evidence.~~ *evidence only if requested by a party. The asserted, purported, or perceived motivation of the child seeking classification as a special immigrant juvenile shall not be admissible in making the findings under this section. The court shall not include nor reference the asserted, purported, or perceived motivation of the child seeking classification as a special immigrant juvenile in the court's findings under this section.*

(c) In any judicial proceedings in response to a request that the superior court make the findings necessary to support a petition for classification as a special immigrant juvenile, information regarding the child's immigration status that is not otherwise protected by state confidentiality laws shall remain confidential and shall be available for inspection only by the court, the child who is the subject of the proceeding, the parties, the attorneys for the parties, the child's counsel, and the child's guardian.

(d) In any judicial proceedings in response to a request that the superior court make the findings necessary to support a petition

1 for classification as a special immigrant juvenile, records of the
2 proceedings that are not otherwise protected by state confidentiality
3 laws may be sealed using the procedure set forth in California
4 Rules of Court 2.550 and 2.551.

5 (e) The Judicial Council shall adopt any rules and forms needed
6 to implement this section.

7 *SEC. 2. Section 11253.4 of the Welfare and Institutions Code*
8 *is amended to read:*

9 11253.4. (a) (1) On and after January 1, 2015, a child eligible
10 for the Approved Relative Caregiver Funding Option Program in
11 accordance with Section ~~11461.3~~, 11461.3 is not subject to the
12 provisions of this chapter relating to CalWORKs, including, but
13 not limited to, the provisions that relate to CalWORKs eligibility,
14 welfare-to-work, time limits, or grant computation.

15 (2) All of the following shall apply to a child specified in
16 paragraph (1):

17 (A) He or she shall receive the applicable regional CalWORKs
18 grant for recipient in an assistance unit of one, pursuant to the
19 exempt maximum aid payment set forth in Section 11450, and any
20 changes to the CalWORKs grant amount shall apply to the grant
21 described in this subparagraph.

22 (B) Notwithstanding any other law, the CalWORKs grant of
23 the child shall be paid by the county with payment responsibility
24 as described in subdivision (b) of Section 11461.3, rather than the
25 county of residence of the child, unless the child resides in the
26 county with payment responsibility.

27 (C) For an assistance unit described in subparagraph (A),
28 eligibility shall be determined in accordance with paragraph (3)
29 of subdivision (a) of Section 672 of Title 42 of the United States
30 Code and state law implementing those requirements for the
31 purposes of Article 5 (commencing with Section 11400).

32 (D) (i) *Article 7 (commencing with Section 11475.2), as*
33 *modified by subdivisions (j) and (k) of Section 11461.3, shall apply*
34 *to an assistance unit described in subparagraph (A).*

35 (ii) *This subparagraph is intended by the Legislature to clarify*
36 *existing law.*

37 (b) (1) Except as provided in paragraph (2), a person who is an
38 approved relative caregiver with whom a child eligible in
39 accordance with Section 11461.3 is ~~placed~~, placed shall be exempt

1 from Chapter 4.6 (commencing with Section 10830) of Part 2
2 governing the statewide fingerprint imaging system.

3 (2) An approved relative caregiver who is also an applicant for
4 or a recipient of benefits under this chapter shall comply with the
5 statewide fingerprint imaging system requirements.

6 (c) Notwithstanding Sections 11004 and 11004.1 or any other
7 law, overpayments to an assistance unit described in subparagraph
8 (A) of paragraph (2) of subdivision (a) shall be collected in
9 accordance with subdivision (d) of Section 11461.3.

10 (d) If an approved relative caregiver with whom a child eligible
11 in accordance with Section 11461.3 is placed is also an applicant
12 for or a recipient of benefits under this ~~chapter~~ *chapter*, all of the
13 following shall apply:

14 (1) The applicant or recipient and each eligible child, excluding
15 any child eligible in accordance with Section 11461.3, shall receive
16 aid in an assistance unit separate from the assistance unit described
17 in subparagraph (A) of paragraph (2) of subdivision (a), and the
18 CalWORKs grant of the assistance unit shall be paid by the county
19 of residence of the assistance unit.

20 (2) For purposes of calculating the grant of the assistance unit,
21 the number of eligible needy persons on which the grant is based
22 pursuant to paragraph (1) of subdivision (a) of Section 11450 shall
23 not include any child eligible in accordance with Section 11461.3.

24 (3) For purposes of calculating minimum basic standards of
25 adequate care for the assistance unit, any child eligible in
26 accordance with Section 11461.3 shall be included as an eligible
27 needy person in the same family pursuant to paragraph (2) of
28 subdivision (a) of Section 11452.

29 (e) This section shall apply retroactively to a child eligible for
30 the Approved Relative Caregiver Funding Option Program and
31 his or her approved relative caregiver as of January 1, 2015.

32 *SEC. 3. Section 11253.45 is added to the Welfare and*
33 *Institutions Code, immediately following Section 11253.4, to read:*

34 *11253.45. (a) (1) A child to whom Section 309, 361.45, or*
35 *16519.5 applies, and who is placed in the home of a relative who*
36 *has been approved as a resource family pursuant to Section*
37 *16519.5, shall receive a grant that equals the resource family basic*
38 *rate at the child's assessed level of care, as set forth in subdivision*
39 *(g) of Section 11461 and Section 11463. If the child is determined*
40 *eligible for aid, the total grant shall be comprised of the*

1 *CalWORKs grant plus an amount that, when combined with the*
2 *CalWORKs grant, equals the resource family basic rate at the*
3 *child's assessed level of care.*

4 *(2) The non-CalWORKs portion of the grant provided in*
5 *paragraph (1) shall be paid from funds separate from funds*
6 *appropriated in the annual Budget Act and counties' share of costs*
7 *for the CalWORKs program.*

8 *(3) A child specified in paragraph (1) is not subject to the*
9 *provisions of this chapter relating to CalWORKs, including, but*
10 *not limited to, the provisions that relate to CalWORKs eligibility,*
11 *welfare to work, child support enforcement, time limits, or grant*
12 *computation.*

13 *(4) All of the following shall apply to a child specified in*
14 *paragraph (1):*

15 *(A) He or she shall receive the applicable regional CalWORKs*
16 *grant for a recipient in an assistance unit of one, pursuant to the*
17 *exempt maximum aid payment set forth in Section 11450, and any*
18 *changes to the CalWORKs grant amount shall apply to the grant*
19 *described in this subparagraph.*

20 *(B) Notwithstanding any other law, the CalWORKs grant for*
21 *the child shall be paid by the county with payment responsibility*
22 *in accordance with paragraph (1) regardless of the county of*
23 *residence of the child.*

24 *(C) For an assistance unit described in subparagraph (A),*
25 *eligibility shall be determined in accordance with paragraph (3)*
26 *of subdivision (a) of Section 672 of Title 42 of the United States*
27 *Code and state law implementing those requirements for the*
28 *purposes of Article 5 (commencing with Section 11400).*

29 *(b) (1) Except as provided in paragraph (2), a person applying*
30 *for aid on behalf of a child described in paragraph (1) of*
31 *subdivision (a), shall be exempt from Chapter 4.6 (commencing*
32 *with Section 10830) of Part 2 governing the statewide fingerprint*
33 *imaging system.*

34 *(2) A relative who is also an applicant for or a recipient of*
35 *benefits under this chapter shall comply with the statewide*
36 *fingerprint imaging system requirements.*

37 *(c) Notwithstanding Sections 11004 and 11004.1 or any other*
38 *law, overpayments to an assistance unit described in subparagraph*
39 *(A) of paragraph (4) of subdivision (a) shall be collected using*
40 *the standards and processes for overpayment recoupment as*

1 *specified in Section 11466.24, and recouped overpayments shall*
2 *not be subject to remittance to the federal government.*

3 *(d) If a relative with whom a child eligible in accordance with*
4 *this section is placed is also an applicant for, or a recipient of,*
5 *benefits under this chapter, all of the following shall apply:*

6 *(1) The applicant or recipient and each eligible child, excluding*
7 *any child eligible in accordance with this section, shall receive*
8 *aid in an assistance unit separate from the assistance unit*
9 *described in subparagraph (A) of paragraph (4) of subdivision*
10 *(a), and the CalWORKs grant of the assistance unit shall be paid*
11 *by the county of residence of the assistance unit.*

12 *(2) For purposes of calculating the grant of the assistance unit,*
13 *the number of eligible needy persons on which the grant is based*
14 *pursuant to paragraph (1) of subdivision (a) of Section 11450 shall*
15 *not include any child eligible in accordance with this section.*

16 *(3) For purposes of calculating minimum basic standards of*
17 *adequate care for the assistance unit, any child eligible in*
18 *accordance with this section shall be included as an eligible needy*
19 *person in the same family pursuant to paragraph (2) of subdivision*
20 *(a) of Section 11452.*

21 *(e) This section shall apply only to a child under the jurisdiction*
22 *of a county that has not opted into the Approved Relative Caregiver*
23 *Funding Option pursuant to Section 11461.3.*

24 *(f) This section shall become operative on January 1, 2017.*

25 *SEC. 4. Section 11320.15 of the Welfare and Institutions Code*
26 *is amended to read:*

27 *11320.15. (a) After a participant has been removed from the*
28 *assistance unit under subdivision (a) of Section 11454, additional*
29 *welfare-to-work services may be provided to the recipient, at the*
30 *option of the county. If the county provides services to the recipient*
31 *after the 48-month limit has been reached, the recipient shall*
32 *participate in community service or subsidized employment, as*
33 *described in Section 11322.63.*

34 *(b) This section shall become inoperative on July 1, 2016, and,*
35 *as of January 1, 2017, is repealed, unless a later enacted statute,*
36 *that becomes operative on or before January 1, 2017, deletes or*
37 *extends the dates on which it becomes inoperative and is repealed.*

38 *SEC. 5. Section 11320.15 is added to the Welfare and*
39 *Institutions Code, to read:*

1 11320.15. (a) After a participant has been removed from the
2 assistance unit under subdivision (a) of Section 11454, additional
3 welfare-to-work services may be provided to the recipient, at the
4 option of the county. If the county provides services to the recipient
5 after the 48-month limit has been reached, the recipient shall
6 participate in community service or subsidized employment, as
7 described in Section 11322.64.

8 (b) This section shall become operative on July 1, 2016.

9 SEC. 6. Section 11320.32 of the Welfare and Institutions Code
10 is amended to read:

11 11320.32. (a) The department shall administer a voluntary
12 Temporary Assistance Program (TAP) for current and future
13 CalWORKs recipients who meet the exemption criteria for work
14 participation activities set forth in Section ~~11320.3~~, 11320.3 and
15 are not single parents who have a child under the age of one year.
16 Temporary Assistance Program recipients shall be entitled to the
17 same assistance payments and other benefits as recipients under
18 the CalWORKs program. The purpose of this program is to provide
19 cash assistance and other benefits to eligible families without any
20 federal restrictions or requirements and without any adverse impact
21 on recipients. The Temporary Assistance Program shall commence
22 no later than October 1, 2016.

23 (b) CalWORKs recipients who meet the exemption criteria for
24 work participation activities set forth in subdivision (b) of Section
25 11320.3, and are not single parents with a child under ~~the age of~~
26 ~~one year~~, one year of age, shall have the option of receiving grant
27 payments, child care, and transportation services from the
28 Temporary Assistance Program. The department shall notify all
29 CalWORKs recipients and applicants meeting the exemption
30 criteria specified in subdivision (b) of Section 11320.3, except for
31 single parents with a child under the age of one year, of their option
32 to receive benefits under the Temporary Assistance Program.
33 Absent written indication that these recipients or applicants choose
34 not to receive assistance from the Temporary Assistance Program,
35 the department shall enroll CalWORKs recipients and applicants
36 into the program. However, exempt volunteers shall remain in the
37 CalWORKs program unless they affirmatively indicate, in writing,
38 their interest in enrolling in the Temporary Assistance Program.
39 A Temporary Assistance Program recipient who no longer meets

1 the exemption criteria set forth in Section 11320.3 shall be enrolled
2 in the CalWORKs program.

3 (c) Funding for grant payments, child care, transportation, and
4 eligibility determination activities for families receiving benefits
5 under the Temporary Assistance Program shall be funded with
6 General Fund resources that do not count toward the state's
7 maintenance of effort requirements under clause (i) of subparagraph
8 (B) of paragraph (7) of subdivision (a) of Section 609 of Title 42
9 of the United States Code, up to the caseload level equivalent to
10 the amount of funding provided for this purpose in the annual
11 Budget Act.

12 (d) It is the intent of the Legislature that recipients shall have
13 and maintain access to the hardship exemption and the services
14 necessary to begin and increase participation in welfare-to-work
15 activities, regardless of their county of origin, and that the number
16 of recipients exempt under subdivision (b) of Section 11320.3 not
17 significantly increase due to factors other than changes in caseload
18 characteristics. All relevant state law applicable to CalWORKs
19 recipients shall also apply to families funded under this section.
20 This section does not modify the criteria for exemption in Section
21 11320.3.

22 (e) To the extent that this section is inconsistent with federal
23 regulations regarding implementation of the Deficit Reduction Act
24 of 2005, the department may amend the funding structure for
25 exempt families to ensure consistency with these regulations, not
26 later than 30 days after providing written notification to the chair
27 of the Joint Legislative Budget Committee and the chairs of the
28 appropriate policy and fiscal committees of the Legislature.

29 (f) *This section shall become inoperative on June 30, 2016.*

30 *SEC. 7. Section 11322.63 of the Welfare and Institutions Code*
31 *is amended to read:*

32 11322.63. (a) For counties that implement a welfare-to-work
33 plan that includes subsidized private sector or public sector
34 employment activities, the State Department of Social Services
35 shall pay the county 50 percent, less one hundred thirteen dollars
36 (\$113), of the total wage costs of an employee for whom a wage
37 subsidy is paid, subject to all of the following conditions:

38 (1) (A) For participants receiving CalWORKs aid, the maximum
39 state contribution of the total wage cost shall not exceed 100

1 percent of the computed grant for the assistance unit in the month
2 prior to participation in subsidized employment.

3 (B) For participants who have received aid in excess of the time
4 limits provided in subdivision (a) of Section 11454, the maximum
5 state contribution of the total wage cost shall not exceed 100
6 percent of the computed grant for the assistance unit in the month
7 prior to participation in subsidized employment.

8 (C) In the case of an individual who participates in subsidized
9 employment as a service provided by a county pursuant to Section
10 11323.25, the maximum state contribution of the total wage cost
11 shall not exceed 100 percent of the computed grant that the
12 assistance unit received in the month prior to participation in the
13 subsidized employment.

14 (D) The maximum state contribution, as defined in this
15 paragraph, shall remain in effect until the end of the subsidy period
16 as specified in paragraph (2), including with respect to subsidized
17 employment participants whose wage results in the assistance unit
18 no longer receiving a CalWORKs grant.

19 (E) State funding provided for total wage costs shall only be
20 used to fund wage and nonwage costs of the county's subsidized
21 employment program.

22 (2) State participation in the total wage costs pursuant to this
23 section shall be limited to a maximum of six months of wage
24 subsidies for each participant. If the county finds that a longer
25 subsidy period is necessary in order to mutually benefit the
26 employer and the participant, state participation in a subsidized
27 wage may be offered for up to 12 months.

28 (3) Eligibility for entry into subsidized employment funded
29 under this section shall be limited to individuals who are not
30 otherwise employed at the time of entry into the subsidized job,
31 and who are current CalWORKs recipients, sanctioned individuals,
32 or individuals described in Section 11320.15 who have exceeded
33 the time limits specified in subdivision (a) of Section 11454. A
34 county may continue to provide subsidized employment funded
35 under this section to individuals who become ineligible for
36 CalWORKs benefits in accordance with Section 11323.25.

37 (b) Upon application for CalWORKs after a participant's
38 subsidized employment ends, if an assistance unit is otherwise
39 eligible within three calendar months of the date that subsidized
40 employment ended, the income exemption requirements contained

1 in Section 11451.5 and the work requirements contained in
2 subdivision (c) of Section 11201 shall apply. If aid is restored after
3 the expiration of that three-month period, the income exemption
4 requirements contained in Section 11450.12 and the work
5 requirements contained in subdivision (b) of Section 11201 shall
6 apply.

7 (c) The department, in conjunction with representatives of
8 county welfare offices and their directors and the Legislative
9 Analyst's Office, shall assess the cost neutrality of the subsidized
10 employment program pursuant to this section and make
11 recommendations to the Legislature, if necessary, to ensure cost
12 neutrality. The department shall testify regarding the cost neutrality
13 of the subsidized employment program during the 2012–13 fiscal
14 year legislative budget hearings.

15 (d) No later than January 10, 2013, the State Department of
16 Social Services shall submit a report to the Legislature on the
17 outcomes of implementing this section that shall include, but need
18 not be limited to, all of the following:

19 (1) The number of CalWORKs recipients that entered subsidized
20 employment.

21 (2) The number of CalWORKs recipients who found
22 nonsubsidized employment after the subsidy ends.

23 (3) The earnings of the program participants before and after
24 the subsidy.

25 (4) The impact of this program on the state's work participation
26 rate.

27 (e) Payment of the state's share in total wage costs required by
28 this section shall be made in addition to, and independent of, the
29 county allocations made pursuant to Section 15204.2.

30 (f) (1) A county that accepts additional funding for expanded
31 subsidized employment for CalWORKs recipients in accordance
32 with Section 11322.64 shall continue to expend no less than the
33 aggregate amount of funding received by the county pursuant to
34 Section 15204.2 that the county expended on subsidized
35 employment pursuant to this section in the 2012–13 fiscal year.

36 (2) This subdivision shall not apply for any fiscal year in which
37 the total CalWORKs caseload is projected by the department to
38 increase more than 5 percent of the total actual CalWORKs
39 caseload in the 2012–13 fiscal year.

1 (g) For purposes of this section, “total wage costs” include the
2 actual wage paid directly to the participant that is allowable under
3 the Temporary Assistance for Needy Families program.

4 ~~(h) This section shall become operative on October 1, 2013.~~

5 *(h) This section shall become inoperative on July 1, 2016, and,*
6 *as of January 1, 2017, is repealed, unless a later enacted statute,*
7 *that becomes operative on or before January 1, 2017, deletes or*
8 *extends the dates on which it becomes inoperative and is repealed.*

9 SEC. 8. Section 11322.64 of the Welfare and Institutions Code
10 is amended to read:

11 11322.64. (a) (1) The department, in consultation with the
12 County Welfare Directors Association of California, shall develop
13 an allocation methodology to distribute additional funding for
14 expanded subsidized employment programs for CalWORKs
15 recipients.

16 (2) Funds allocated pursuant to this section may be utilized to
17 cover all expenditures related to the operational costs of the
18 expanded subsidized employment program, including the cost of
19 overseeing the program, developing work sites, and providing
20 training to participants, as well as wage and nonwage costs.

21 (3) The department, in consultation with the County Welfare
22 Directors Association of California, shall determine the amount
23 or proportion of funding allocated pursuant to this section that may
24 be utilized for operational costs, consistent with the number of
25 employment slots anticipated to be created and the funding
26 provided.

27 (b) Funds allocated for expanded subsidized employment shall
28 be in addition to, and independent of, the county allocations made
29 pursuant to Section 15204.2 and shall not be used by a county to
30 fund subsidized employment pursuant to Section 11322.63.

31 (c) Each county shall submit to the department a plan regarding
32 how it intends to utilize the funds allocated pursuant to this section.

33 (d) (1) Participation in subsidized employment pursuant to this
34 section shall be limited to a maximum of six months for each
35 participant.

36 (2) Notwithstanding paragraph (1), a county may extend
37 participation beyond the six-month limitation described in
38 paragraph (1) for up to an additional three months at a time, to a
39 maximum of no more than 12 total months. Extensions may be
40 granted pursuant to this paragraph if the county determines that

1 the additional time will increase the likelihood of either of the
2 following:

3 (A) The participant obtaining unsubsidized employment with
4 the participating employer.

5 (B) The participant obtaining specific skills and experiences
6 relevant for unsubsidized employment in a particular field.

7 (e) A county may continue to provide subsidized employment
8 funded under this section to individuals who become ineligible for
9 CalWORKs benefits in accordance with Section 11323.25.

10 (f) Upon application for CalWORKs assistance after a
11 participant's subsidized employment ends, if an assistance unit is
12 otherwise eligible within three calendar months of the date that
13 subsidized employment ended, the income exemption requirements
14 contained in Section 11451.5 and the work requirements contained
15 in subdivision (c) of Section 11201 shall apply. If aid is restored
16 after the expiration of that three-month period, the income
17 exemption requirements contained in Section 11450.12 and the
18 work requirements contained in subdivision (b) of Section 11201
19 shall apply.

20 (g) No later than April 1, 2015, the State Department of Social
21 Services shall submit at least the following information regarding
22 implementation of this section to the Legislature:

23 (1) The number of CalWORKs recipients that entered subsidized
24 employment.

25 (2) The number of CalWORKs recipients who found
26 nonsubsidized employment after the subsidy ends.

27 (3) The earnings of the program participants before and after
28 the subsidy.

29 (4) The impact of this program on the state's work participation
30 rate.

31 *(h) This section shall become inoperative on July 1 2016, and,*
32 *as of January 1, 2017, is repealed, unless a later enacted statute,*
33 *that becomes operative on or before January 1, 2017, deletes or*
34 *extends the dates on which it becomes inoperative and is repealed.*

35 SEC. 9. Section 11322.64 is added to the Welfare and
36 Institutions Code, to read:

37 11322.64. (a) (1) The department, in consultation with the
38 County Welfare Directors Association of California, shall develop
39 an allocation methodology to distribute additional funding for
40 expanded subsidized employment programs for CalWORKs

1 recipients, or individuals described in Section 11320.15 who have
2 exceeded the time limits specified in subdivision (a) of Section
3 11454.

4 (2) Funds allocated pursuant to this section may be utilized to
5 cover all expenditures related to the operational costs of the
6 expanded subsidized employment program, including the cost of
7 overseeing the program, developing work sites, and providing
8 training to participants, as well as wage and nonwage costs.

9 (3) The department, in consultation with the County Welfare
10 Directors Association of California, shall determine the amount
11 or proportion of funding allocated pursuant to this section that
12 may be utilized for operational costs, consistent with the number
13 of employment slots anticipated to be created and the funding
14 provided.

15 (b) Funds allocated for expanded subsidized employment shall
16 be in addition to, and independent of, the county allocations made
17 pursuant to Section 15204.2.

18 (c) (1) A county that accepts additional funding for expanded
19 subsidized employment in accordance with this section shall
20 continue to expend no less than the aggregate amount of funding
21 received by the county pursuant to Section 15204.2 that the county
22 expended on subsidized employment in the 2012–13 fiscal year
23 pursuant to Section 11322.63, as that section read on June 30,
24 2016.

25 (2) This subdivision shall not apply for any fiscal year in which
26 the total CalWORKs caseload is projected by the department to
27 increase by more than 5 percent of the total actual CalWORKs
28 caseload in the 2012–13 fiscal year.

29 (d) Each county shall submit to the department a plan regarding
30 how it intends to utilize the funds allocated pursuant to this section.

31 (e) (1) Participation in subsidized employment pursuant to this
32 section shall be limited to a maximum of six months for each
33 participant.

34 (2) Notwithstanding paragraph (1), a county may extend
35 participation beyond the six-month limitation described in
36 paragraph (1) for up to an additional three months at a time, to a
37 maximum of no more than 12 total months. Extensions may be
38 granted pursuant to this paragraph if the county determines that
39 the additional time will increase the likelihood of either of the
40 following:

1 (A) *The participant obtaining unsubsidized employment with*
2 *the participating employer.*

3 (B) *The participant obtaining specific skills and experiences*
4 *relevant for unsubsidized employment in a particular field.*

5 (f) *A county may continue to provide subsidized employment*
6 *funded under this section to individuals who become ineligible for*
7 *CalWORKs benefits in accordance with Section 11323.25.*

8 (g) *Upon application for CalWORKs assistance after a*
9 *participant's subsidized employment ends, if an assistance unit is*
10 *otherwise eligible within three calendar months of the date that*
11 *subsidized employment ended, the income exemption requirements*
12 *contained in Section 11451.5 and the work requirements contained*
13 *in subdivision (c) of Section 11201 shall apply. If aid is restored*
14 *after the expiration of that three-month period, the income*
15 *exemption requirements contained in Section 11450.12 and the*
16 *work requirements contained in subdivision (b) of Section 11201*
17 *shall apply.*

18 (h) *No later than April 1, 2015, the State Department of Social*
19 *Services shall submit at least the following information regarding*
20 *implementation of this section to the Legislature:*

21 (1) *The number of CalWORKs recipients that entered subsidized*
22 *employment.*

23 (2) *The number of CalWORKs recipients who found*
24 *nonsubsidized employment after the subsidy ends.*

25 (3) *The earnings of the program participants before and after*
26 *the subsidy.*

27 (4) *The impact of this program on the state's work participation*
28 *rate.*

29 (i) *This section shall become operative on July 1, 2016.*

30 SEC. 10. *Section 11322.83 is added to the Welfare and*
31 *Institutions Code, immediately following Section 11322.8, to read:*

32 11322.83. (a) *A recipient who is making satisfactory progress*
33 *in a career pathway program established in accordance with the*
34 *federal Workforce Innovation and Opportunity Act (Public Law*
35 *113-128) shall be deemed to be in compliance with the hourly*
36 *participation requirements described in subdivision (a) of Section*
37 *11322.8.*

38 (b) *Subdivision (a) applies only if a local workforce development*
39 *board established under Section 3122 of Title 29 of the United*
40 *States Code provides its approval that the career pathway program*

1 *meets the requirements of Section 3102(7) of Title 29 of the United*
2 *States Code and the county verifies that the recipient is making*
3 *satisfactory progress in that program.*

4 *SEC. 11. Section 11323.25 of the Welfare and Institutions Code*
5 *is amended to read:*

6 11323.25. (a) In addition to its authority under subdivision
7 (b) of Section 11323.2, if provided in a county plan, the county
8 may continue to provide welfare-to-work services to former
9 participants who became ineligible for CalWORKs benefits
10 because they became employed under Section 11322.63 or
11 11322.64. The county may provide these services for up to the
12 first 12 months of employment, to the extent they are not available
13 from other sources and are needed for the individual to retain the
14 subsidized employment.

15 (b) *This section shall become inoperative on July 1 2016, and,*
16 *as of January 1, 2017, is repealed, unless a later enacted statute,*
17 *that becomes operative on or before January 1, 2017, deletes or*
18 *extends the dates on which it becomes inoperative and is repealed.*

19 *SEC. 12. Section 11323.25 is added to the Welfare and*
20 *Institutions Code, to read:*

21 11323.25. (a) In addition to its authority under subdivision
22 (b) of Section 11323.2, if provided in a county plan, the county
23 may continue to provide welfare-to-work services to former
24 participants who became ineligible for CalWORKs benefits because
25 they became employed under Section 11322.64. The county may
26 provide these services for up to the first 12 months of employment,
27 to the extent they are not available from other sources and are
28 needed for the individual to retain the subsidized employment.

29 (b) *This section shall become operative on July 1, 2016.*

30 *SEC. 13. Section 11402 of the Welfare and Institutions Code,*
31 *as amended by Section 65 of Chapter 773 of the Statutes of 2015,*
32 *is amended to read:*

33 11402. In order to be eligible for AFDC-FC, a child or
34 nonminor dependent shall be placed in one of the following:

35 (a) Prior to January 1, 2019, the approved home of a relative,
36 provided the child or youth is otherwise eligible for federal
37 financial participation in the AFDC-FC payment.

38 (b) (1) Prior to January 1, 2019, the licensed family home of a
39 nonrelative.

(2) Prior to January 1, 2019, the approved home of a nonrelative extended family member as described in Section 362.7.

(c) The approved home of a resource-family family, as defined in Section 16519.5, if either of the following is true:

(1) The caregiver is a nonrelative.

(2) The caregiver is a relative, and the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment.

(d) A licensed group home, as defined in subdivision (h) of Section 11400, excluding a runaway and homeless youth shelter as defined in subdivision (ab) of Section 11400, provided that the placement worker has documented that the placement is necessary to meet the treatment needs of the child or youth and that the facility offers those treatment services.

(e) The home of a nonrelated legal guardian or the home of a former nonrelated legal guardian when the guardianship of a child or youth who is otherwise eligible for AFDC-FC has been dismissed due to the child or youth attaining 18 years of age.

(f) An exclusive-use home.

(g) A housing model certified by a licensed transitional housing placement provider as described in Section 1559.110 of the Health and Safety Code and as defined in subdivision (r) of Section 11400.

(h) An out-of-state group home, provided that the placement worker, in addition to complying with all other statutory requirements for placing a child or youth in an out-of-state group home, documents that the requirements of Section 7911.1 of the Family Code have been met.

(i) An approved supervised independent living setting for nonminor dependents, as defined in subdivision (w) of Section 11400.

(j) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

SEC. 14. Section 11402 of the Welfare and Institutions Code, as added by Section 66 of Chapter 773 of the Statutes of 2015, is amended to read:

11402. In order to be eligible for AFDC-FC, a child or nonminor dependent shall be placed in one of the following:

1 (a) Prior to January 1, 2019, the approved home of a relative,
2 provided the child or youth is otherwise eligible for federal
3 financial participation in the AFDC-FC payment.

4 (b) (1) Prior to January 1, 2019, the home of a nonrelated legal
5 guardian or the home of a former nonrelated legal guardian when
6 the guardianship of a child or youth who is otherwise eligible for
7 AFDC-FC has been dismissed due to the child or youth attaining
8 18 years of age.

9 (2) Prior to January 1, 2019, the approved home of a nonrelative
10 extended family member, as described in Section 362.7.

11 (c) (1) Prior to January 1, 2019, the licensed family home of a
12 nonrelative.

13 (2) The approved home of a resource family, as defined in
14 ~~Section 16519.5~~ 16519.5, if either of the following is true:

15 (A) *The caregiver is a nonrelative.*

16 (B) *The caregiver is a relative, and the child or youth is*
17 *otherwise eligible for federal financial participation in the*
18 *AFDC-FC payment.*

19 (d) (1) A housing model certified by a licensed transitional
20 housing placement provider, as described in Section 1559.110 of
21 the Health and Safety Code, and as defined in subdivision (r) of
22 Section 11400.

23 (2) An approved supervised independent living setting for
24 nonminor dependents, as defined in subdivision (w) of Section
25 11400.

26 (e) A licensed foster family agency, as defined in subdivision
27 (g) of Section 11400 and paragraph (4) of subdivision (a) of Section
28 1502 of the Health and Safety Code, for placement into a certified
29 or approved home.

30 (f) A short-term residential treatment center licensed as a
31 community care facility, as defined in subdivision (ad) of Section
32 11400 and paragraph (18) of subdivision (a) of Section 1502 of
33 the Health and Safety Code.

34 (g) An out-of-state group home that meets the requirements of
35 paragraph (2) of subdivision (c) of Section 11460, provided that
36 the placement worker, in addition to complying with all other
37 statutory requirements for placing a child or youth in an out-of-state
38 group home, documents that the requirements of Section 7911.1
39 of the Family Code have been met.

(h) A community treatment facility set forth in Article 5 (commencing with Section 4094) of Chapter 3 of Part 1 of Division 4.

(i) This section shall become operative on January 1, 2017.

SEC. 15. Section 11450 of the Welfare and Institutions Code is amended to read:

11450. (a) (1) (A) Aid shall be paid for each needy family, which shall include all eligible brothers and sisters of each eligible applicant or recipient child and the parents of the children, but shall not include unborn children, or recipients of aid under Chapter 3 (commencing with Section 12000), qualified for aid under this chapter. In determining the amount of aid paid, and notwithstanding the minimum basic standards of adequate care specified in Section 11452, the family's income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (e) or Section 11453.1, determined for the prospective semiannual period pursuant to Sections 11265.1, 11265.2, and 11265.3, and then calculated pursuant to Section 11451.5, shall be deducted from the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2). In no case shall the amount of aid paid for each month exceed the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2), plus any special needs, as specified in subdivisions (c), (e), and (f):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

(B) If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) (1) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant child who is 18 years of age or younger at any time after verification of pregnancy, in the amount that would otherwise be paid to one person, as specified in subdivision (a), if the child and her child, if born, would have qualified for aid under this chapter. Verification of pregnancy shall be required as a condition of eligibility for aid under this subdivision.

(2) Notwithstanding paragraph (1), when the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant woman for the month in which the birth is anticipated and for the six-month period immediately prior to the month in which the birth is anticipated, in the amount that would otherwise be paid to one person, as specified in subdivision (a), if the woman and child, if born, would have qualified for aid under this chapter. Verification of pregnancy shall be required as a condition of eligibility for aid under this subdivision.

(3) Paragraph (1) shall apply only when the Cal-Learn Program is operative.

(c) The amount of forty-seven dollars (\$47) per month shall be paid to pregnant women qualified for aid under subdivision (a) or (b) to meet special needs resulting from pregnancy if the woman and child, if born, would have qualified for aid under this chapter. County welfare departments shall refer all recipients of aid under

1 this subdivision to a local provider of the Women, Infants, and
2 Children program. If that payment to pregnant women qualified
3 for aid under subdivision (a) is considered income under federal
4 law in the first five months of pregnancy, payments under this
5 subdivision shall not apply to persons eligible under subdivision
6 (a), except for the month in which birth is anticipated and for the
7 three-month period immediately prior to the month in which
8 delivery is anticipated, if the woman and child, if born, would have
9 qualified for aid under this chapter.

10 (d) For children receiving AFDC-FC under this chapter, there
11 shall be paid, exclusive of any amount considered exempt as
12 income, an amount of aid each month that, when added to the
13 child's income, is equal to the rate specified in Section 11460,
14 11461, 11462, 11462.1, or 11463. In addition, the child shall be
15 eligible for special needs, as specified in departmental regulations.

16 (e) In addition to the amounts payable under subdivision (a)
17 and Section 11453.1, a family shall be entitled to receive an
18 allowance for recurring special needs not common to a majority
19 of recipients. These recurring special needs shall include, but not
20 be limited to, special diets upon the recommendation of a physician
21 for circumstances other than pregnancy, and unusual costs of
22 transportation, laundry, housekeeping services, telephone, and
23 utilities. The recurring special needs allowance for each family
24 per month shall not exceed that amount resulting from multiplying
25 the sum of ten dollars (\$10) by the number of recipients in the
26 family who are eligible for assistance.

27 (f) After a family has used all available liquid resources, both
28 exempt and nonexempt, in excess of one hundred dollars (\$100),
29 with the exception of funds deposited in a restricted account
30 described in subdivision (a) of Section 11155.2, the family shall
31 also be entitled to receive an allowance for nonrecurring special
32 needs.

33 (1) An allowance for nonrecurring special needs shall be granted
34 for replacement of clothing and household equipment and for
35 emergency housing needs other than those needs addressed by
36 paragraph (2). These needs shall be caused by sudden and unusual
37 circumstances beyond the control of the needy family. The
38 department shall establish the allowance for each of the
39 nonrecurring special needs items. The sum of all nonrecurring

1 special needs provided by this subdivision shall not exceed six
2 hundred dollars (\$600) per event.

3 (2) (A) Homeless assistance is available to a homeless family
4 seeking shelter when the family is eligible for aid under this
5 chapter. Homeless assistance for temporary shelter is also available
6 to homeless families that are apparently eligible for aid under this
7 chapter. Apparent eligibility exists when evidence presented by
8 the applicant, or that is otherwise available to the county welfare
9 department, and the information provided on the application
10 documents indicate that there would be eligibility for aid under
11 this chapter if the evidence and information were verified.
12 However, an alien applicant who does not provide verification of
13 his or her eligible alien status, or a woman with no eligible children
14 who does not provide medical verification of pregnancy, is not
15 apparently eligible for purposes of this section.

16 (B) A family is considered homeless, for the purpose of this
17 section, when the family lacks a fixed and regular nighttime
18 residence; or the family has a primary nighttime residence that is
19 a supervised publicly or privately operated shelter designed to
20 provide temporary living accommodations; or the family is residing
21 in a public or private place not designed for, or ordinarily used as,
22 a regular sleeping accommodation for human beings. A family is
23 also considered homeless for the purpose of this section if the
24 family has received a notice to pay rent or quit. The family shall
25 demonstrate that the eviction is the result of a verified financial
26 hardship as a result of extraordinary circumstances beyond their
27 control, and not other lease or rental violations, and that the family
28 is experiencing a financial crisis that could result in homelessness
29 if preventative assistance is not provided.

30 ~~(A)~~

31 (3) (A) (i) A nonrecurring special needs benefit of sixty-five
32 dollars (\$65) a day shall be available to families of up to four
33 members for the costs of temporary shelter, subject to the
34 requirements of this paragraph. The fifth and additional members
35 of the family shall each receive fifteen dollars (\$15) per day, up
36 to a daily maximum of one hundred twenty-five dollars (\$125).
37 County welfare departments may increase the daily amount
38 available for temporary shelter as necessary to secure the additional
39 bedspace needed by the family.

(ii) This special needs benefit shall be granted or denied immediately upon the family's application for homeless assistance, and benefits shall be available for up to three working days. The county welfare department shall verify the family's homelessness within the first three working days and if the family meets the criteria of questionable homelessness established by the department, the county welfare department shall refer the family to its early fraud prevention and detection unit, if the county has such a unit, for assistance in the verification of homelessness within this period.

(iii) After homelessness has been verified, the three-day limit shall be extended for a period of time which, when added to the initial benefits provided, does not exceed a total of 16 calendar days. This extension of benefits shall be done in increments of one week and shall be based upon searching for permanent housing which shall be documented on a housing search form, good cause, or other circumstances defined by the department. Documentation of a housing search shall be required for the initial extension of benefits beyond the three-day limit and on a weekly basis thereafter as long as the family is receiving temporary shelter benefits. Good cause shall include, but is not limited to, situations in which the county welfare department has determined that the family, to the extent it is capable, has made a good faith but unsuccessful effort to secure permanent housing while receiving temporary shelter benefits.

(B) (i) A nonrecurring special needs benefit for permanent housing assistance is available to pay for last month's rent and security deposits when these payments are reasonable conditions of securing a residence, or to pay for up to two months of rent arrearages, when these payments are a reasonable condition of preventing eviction.

(ii) The last month's rent or monthly arrearage portion of the payment (I) shall not exceed 80 percent of the family's total monthly household income without the value of CalFresh benefits or special needs benefit for a family of that size and (II) shall only be made to families that have found permanent housing costing no more than 80 percent of the family's total monthly household income without the value of CalFresh benefits or special needs benefit for a family of that size.

1 (iii) However, if the county welfare department determines that
2 a family intends to reside with individuals who will be sharing
3 housing costs, the county welfare department shall, in appropriate
4 circumstances, set aside the condition specified in subclause (II)
5 of clause (ii).

6 (C) The nonrecurring special needs benefit for permanent
7 housing assistance is also available to cover the standard costs of
8 deposits for utilities which are necessary for the health and safety
9 of the family.

10 (D) A payment for or denial of permanent housing assistance
11 shall be issued no later than one working day from the time that a
12 family presents evidence of the availability of permanent housing.
13 If an applicant family provides evidence of the availability of
14 permanent housing before the county welfare department has
15 established eligibility for aid under this chapter, the county welfare
16 department shall complete the eligibility determination so that the
17 denial of or payment for permanent housing assistance is issued
18 within one working day from the submission of evidence of the
19 availability of permanent housing, unless the family has failed to
20 provide all of the verification necessary to establish eligibility for
21 aid under this chapter.

22 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
23 for the temporary shelter assistance and the permanent housing
24 assistance pursuant to this paragraph shall be limited to one period
25 of up to 16 consecutive calendar days of temporary assistance and
26 one payment of permanent assistance. Any family that includes a
27 parent or nonparent caretaker relative living in the home who has
28 previously received temporary or permanent homeless assistance
29 at any time on behalf of an eligible child shall not be eligible for
30 further homeless assistance. Any person who applies for homeless
31 assistance benefits shall be informed that the temporary shelter
32 benefit of up to 16 consecutive days is available only once in a
33 lifetime, with certain exceptions, and that a break in the consecutive
34 use of the benefit constitutes permanent exhaustion of the
35 temporary benefit.

36 (ii) A family that becomes homeless as a direct and primary
37 result of a state or federally declared natural disaster shall be
38 eligible for temporary and permanent homeless assistance.

39 (iii) A family shall be eligible for temporary and permanent
40 homeless assistance when homelessness is a direct result of

1 domestic violence by a spouse, partner, or roommate; physical or
2 mental illness that is medically verified that shall not include a
3 diagnosis of alcoholism, drug addiction, or psychological stress;
4 ~~or~~, or the uninhabitability of the former residence caused by sudden
5 and unusual circumstances beyond the control of the family
6 including natural catastrophe, fire, or condemnation. These
7 circumstances shall be verified by a third-party governmental or
8 private health and human services agency, except that domestic
9 violence may also be verified by a sworn statement by the victim,
10 as provided under Section 11495.25. Homeless assistance payments
11 based on these specific circumstances may not be received more
12 often than once in any 12-month period. In addition, if the domestic
13 violence is verified by a sworn statement by the victim, the
14 homeless assistance payments shall be limited to two periods of
15 not more than 16 consecutive calendar days of temporary assistance
16 and two payments of permanent assistance. A county may require
17 that a recipient of homeless assistance benefits who qualifies under
18 this paragraph for a second time in a 24-month period participate
19 in a homelessness avoidance case plan as a condition of eligibility
20 for homeless assistance benefits. The county welfare department
21 shall immediately inform recipients who verify domestic violence
22 by a sworn statement of the availability of domestic violence
23 counseling and services, and refer those recipients to services upon
24 request.

25 (iv) If a county requires a recipient who verifies domestic
26 violence by a sworn statement to participate in a homelessness
27 avoidance case plan pursuant to clause (iii), the plan shall include
28 the provision of domestic violence services, if appropriate.

29 (v) If a recipient seeking homeless assistance based on domestic
30 violence pursuant to clause (iii) has previously received homeless
31 avoidance services based on domestic violence, the county shall
32 review whether services were offered to the recipient and consider
33 what additional services would assist the recipient in leaving the
34 domestic violence situation.

35 (vi) The county welfare department shall report necessary data
36 to the department through a statewide homeless assistance payment
37 indicator system, as requested by the department, regarding all
38 recipients of aid under this paragraph.

39 (F) The county welfare departments, and all other entities
40 participating in the costs of the CalWORKs program, have the

1 right in their share to any refunds resulting from payment of the
2 permanent housing. However, if an emergency requires the family
3 to move within the 12-month period specified in subparagraph
4 (E), the family shall be allowed to use any refunds received from
5 its deposits to meet the costs of moving to another residence.

6 (G) Payments to providers for temporary shelter and permanent
7 housing and utilities shall be made on behalf of families requesting
8 these payments.

9 (H) The daily amount for the temporary shelter special needs
10 benefit for homeless assistance may be increased if authorized by
11 the current year's Budget Act by specifying a different daily
12 allowance and appropriating the funds therefor.

13 (I) No payment shall be made pursuant to this paragraph unless
14 the provider of housing is a commercial establishment, shelter, or
15 person in the business of renting properties who has a history of
16 renting properties.

17 (g) The department shall establish rules and regulations ensuring
18 the uniform statewide application of this section.

19 (h) The department shall notify all applicants and recipients of
20 aid through the standardized application form that these benefits
21 are available and shall provide an opportunity for recipients to
22 apply for the funds quickly and efficiently.

23 (i) (A) Except for the purposes of Section 15200, the amounts
24 payable to recipients pursuant to Section 11453.1 shall not
25 constitute part of the payment schedule set forth in subdivision
26 (a).

27 (B) The amounts payable to recipients pursuant to Section
28 11453.1 shall not constitute income to recipients of aid under this
29 section.

30 (j) For children receiving Kin-GAP pursuant to Article 4.5
31 (commencing with Section 11360) or Article 4.7 (commencing
32 with Section 11385) there shall be paid, exclusive of any amount
33 considered exempt as income, an amount of aid each month, which,
34 when added to the child's income, is equal to the rate specified in
35 Sections 11364 and 11387.

36 (k) (1) A county shall implement the semiannual reporting
37 requirements in accordance with Chapter 501 of the Statutes of
38 2011 no later than October 1, 2013.

39 (2) Upon completion of the implementation described in
40 paragraph (1), each county shall provide a certificate to the director

certifying that semiannual reporting has been implemented in the county.

(3) Upon filing the certificate described in paragraph (2), a county shall comply with the semiannual reporting provisions of this section.

(l) This section shall become operative on July 1, 2015.

(m) *This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.*

SEC. 16. Section 11450 is added to the Welfare and Institutions Code, to read:

11450. (a) (1) (A) Aid shall be paid for each needy family, which shall include all eligible brothers and sisters of each eligible applicant or recipient child and the parents of the children, but shall not include unborn children, or recipients of aid under Chapter 3 (commencing with Section 12000), qualified for aid under this chapter. In determining the amount of aid paid, and notwithstanding the minimum basic standards of adequate care specified in Section 11452, the family's income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (e) or Section 11453.1, determined for the prospective semiannual period pursuant to Sections 11265.1, 11265.2, and 11265.3, and then calculated pursuant to Section 11451.5, shall be deducted from the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2). In no case shall the amount of aid paid for each month exceed the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2), plus any special needs, as specified in subdivisions (c), (e), and (f):

<i>Number of eligible needy persons in the same home</i>	<i>Maximum aid</i>
1.....	\$ 326
2.....	535
3.....	663
4.....	788

<i>Number of eligible needy persons in the same home</i>	<i>Maximum aid</i>
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

(B) If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) (1) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant child who is 18 years of age or younger at any time after verification of pregnancy, in the amount that would otherwise be paid to one person, as specified in subdivision (a), if the child and her child, if born, would have qualified for aid under this chapter. Verification of pregnancy shall be required as a condition of eligibility for aid under this subdivision.

(2) Notwithstanding paragraph (1), when the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant woman for the month in which the birth is anticipated and for the six-month period immediately prior to the

1 month in which the birth is anticipated, in the amount that would
2 otherwise be paid to one person, as specified in subdivision (a),
3 if the woman and child, if born, would have qualified for aid under
4 this chapter. Verification of pregnancy shall be required as a
5 condition of eligibility for aid under this subdivision.

6 (3) Paragraph (1) shall apply only when the Cal-Learn Program
7 is operative.

8 (c) The amount of forty-seven dollars (\$47) per month shall be
9 paid to pregnant women qualified for aid under subdivision (a)
10 or (b) to meet special needs resulting from pregnancy if the woman
11 and child, if born, would have qualified for aid under this chapter.
12 County welfare departments shall refer all recipients of aid under
13 this subdivision to a local provider of the Women, Infants, and
14 Children program. If that payment to pregnant women qualified
15 for aid under subdivision (a) is considered income under federal
16 law in the first five months of pregnancy, payments under this
17 subdivision shall not apply to persons eligible under subdivision
18 (a), except for the month in which birth is anticipated and for the
19 three-month period immediately prior to the month in which
20 delivery is anticipated, if the woman and child, if born, would have
21 qualified for aid under this chapter.

22 (d) For children receiving AFDC-FC under this chapter, there
23 shall be paid, exclusive of any amount considered exempt as
24 income, an amount of aid each month that, when added to the
25 child's income, is equal to the rate specified in Section 11460,
26 11461, 11462, 11462.1, or 11463. In addition, the child shall be
27 eligible for special needs, as specified in departmental regulations.

28 (e) In addition to the amounts payable under subdivision (a)
29 and Section 11453.1, a family shall be entitled to receive an
30 allowance for recurring special needs not common to a majority
31 of recipients. These recurring special needs shall include, but not
32 be limited to, special diets upon the recommendation of a physician
33 for circumstances other than pregnancy, and unusual costs of
34 transportation, laundry, housekeeping services, telephone, and
35 utilities. The recurring special needs allowance for each family
36 per month shall not exceed that amount resulting from multiplying
37 the sum of ten dollars (\$10) by the number of recipients in the
38 family who are eligible for assistance.

39 (f) After a family has used all available liquid resources, both
40 exempt and nonexempt, in excess of one hundred dollars (\$100),

1 *with the exception of funds deposited in a restricted account*
2 *described in subdivision (a) of Section 11155.2, the family shall*
3 *also be entitled to receive an allowance for nonrecurring special*
4 *needs.*

5 *(1) An allowance for nonrecurring special needs shall be*
6 *granted for replacement of clothing and household equipment and*
7 *for emergency housing needs other than those needs addressed by*
8 *paragraph (2). These needs shall be caused by sudden and unusual*
9 *circumstances beyond the control of the needy family. The*
10 *department shall establish the allowance for each of the*
11 *nonrecurring special needs items. The sum of all nonrecurring*
12 *special needs provided by this subdivision shall not exceed six*
13 *hundred dollars (\$600) per event.*

14 *(2) (A) Homeless assistance is available to a homeless family*
15 *seeking shelter when the family is eligible for aid under this*
16 *chapter. Homeless assistance for temporary shelter is also*
17 *available to homeless families that are apparently eligible for aid*
18 *under this chapter. Apparent eligibility exists when evidence*
19 *presented by the applicant, or that is otherwise available to the*
20 *county welfare department, and the information provided on the*
21 *application documents indicate that there would be eligibility for*
22 *aid under this chapter if the evidence and information were*
23 *verified. However, an alien applicant who does not provide*
24 *verification of his or her eligible alien status, or a woman with no*
25 *eligible children who does not provide medical verification of*
26 *pregnancy, is not apparently eligible for purposes of this section.*

27 *(B) A family is considered homeless, for the purpose of this*
28 *section, when the family lacks a fixed and regular nighttime*
29 *residence; or the family has a primary nighttime residence that is*
30 *a supervised publicly or privately operated shelter designed to*
31 *provide temporary living accommodations; or the family is residing*
32 *in a public or private place not designed for, or ordinarily used*
33 *as, a regular sleeping accommodation for human beings. A family*
34 *is also considered homeless for the purpose of this section if the*
35 *family has received a notice to pay rent or quit. The family shall*
36 *demonstrate that the eviction is the result of a verified financial*
37 *hardship as a result of extraordinary circumstances beyond their*
38 *control, and not other lease or rental violations, and that the family*
39 *is experiencing a financial crisis that could result in homelessness*
40 *if preventative assistance is not provided.*

1 (3) (A) (i) A nonrecurring special needs benefit of sixty-five
2 dollars (\$65) a day shall be available to families of up to four
3 members for the costs of temporary shelter, subject to the
4 requirements of this paragraph. The fifth and additional members
5 of the family shall each receive fifteen dollars (\$15) per day, up
6 to a daily maximum of one hundred twenty-five dollars (\$125).
7 County welfare departments may increase the daily amount
8 available for temporary shelter as necessary to secure the
9 additional bedspace needed by the family.

10 (ii) This special needs benefit shall be granted or denied
11 immediately upon the family's application for homeless assistance,
12 and benefits shall be available for up to three working days. The
13 county welfare department shall verify the family's homelessness
14 within the first three working days and if the family meets the
15 criteria of questionable homelessness established by the
16 department, the county welfare department shall refer the family
17 to its early fraud prevention and detection unit, if the county has
18 such a unit, for assistance in the verification of homelessness within
19 this period.

20 (iii) After homelessness has been verified, the three-day limit
21 shall be extended for a period of time which, when added to the
22 initial benefits provided, does not exceed a total of 16 calendar
23 days. This extension of benefits shall be done in increments of one
24 week and shall be based upon searching for permanent housing
25 which shall be documented on a housing search form, good cause,
26 or other circumstances defined by the department. Documentation
27 of a housing search shall be required for the initial extension of
28 benefits beyond the three-day limit and on a weekly basis thereafter
29 as long as the family is receiving temporary shelter benefits. Good
30 cause shall include, but is not limited to, situations in which the
31 county welfare department has determined that the family, to the
32 extent it is capable, has made a good faith but unsuccessful effort
33 to secure permanent housing while receiving temporary shelter
34 benefits.

35 (B) (i) A nonrecurring special needs benefit for permanent
36 housing assistance is available to pay for last month's rent and
37 security deposits when these payments are reasonable conditions
38 of securing a residence, or to pay for up to two months of rent
39 arrearages, when these payments are a reasonable condition of
40 preventing eviction.

1 (ii) *The last month's rent or monthly arrearage portion of the*
2 *payment (I) shall not exceed 80 percent of the family's total*
3 *monthly household income without the value of CalFresh benefits*
4 *or special needs benefit for a family of that size and (II) shall only*
5 *be made to families that have found permanent housing costing*
6 *no more than 80 percent of the family's total monthly household*
7 *income without the value of CalFresh benefits or special needs*
8 *benefit for a family of that size.*

9 (iii) *However, if the county welfare department determines that*
10 *a family intends to reside with individuals who will be sharing*
11 *housing costs, the county welfare department shall, in appropriate*
12 *circumstances, set aside the condition specified in subclause (II)*
13 *of clause (ii).*

14 (C) *The nonrecurring special needs benefit for permanent*
15 *housing assistance is also available to cover the standard costs*
16 *of deposits for utilities which are necessary for the health and*
17 *safety of the family.*

18 (D) *A payment for or denial of permanent housing assistance*
19 *shall be issued no later than one working day from the time that*
20 *a family presents evidence of the availability of permanent housing.*
21 *If an applicant family provides evidence of the availability of*
22 *permanent housing before the county welfare department has*
23 *established eligibility for aid under this chapter, the county welfare*
24 *department shall complete the eligibility determination so that the*
25 *denial of or payment for permanent housing assistance is issued*
26 *within one working day from the submission of evidence of the*
27 *availability of permanent housing, unless the family has failed to*
28 *provide all of the verification necessary to establish eligibility for*
29 *aid under this chapter.*

30 (E) (i) *Except as provided in clauses (ii) and (iii), eligibility*
31 *for the temporary shelter assistance and the permanent housing*
32 *assistance pursuant to this paragraph shall be limited to one period*
33 *of up to 16 consecutive calendar days of temporary assistance and*
34 *one payment of permanent assistance every 12 months. A person*
35 *who applies for homeless assistance benefits shall be informed*
36 *that the temporary shelter benefit of up to 16 consecutive days is*
37 *available only once every 12 months, with certain exceptions, and*
38 *that a break in the consecutive use of the benefit constitutes*
39 *exhaustion of the temporary benefit for that 12-month period.*

1 (ii) A family that becomes homeless as a direct and primary
2 result of a state or federally declared natural disaster shall be
3 eligible for temporary and permanent homeless assistance.

4 (iii) A family shall be eligible for temporary and permanent
5 homeless assistance when homelessness is a direct result of
6 domestic violence by a spouse, partner, or roommate; physical or
7 mental illness that is medically verified that shall not include a
8 diagnosis of alcoholism, drug addiction, or psychological stress;
9 or, the uninhabitability of the former residence caused by sudden
10 and unusual circumstances beyond the control of the family
11 including natural catastrophe, fire, or condemnation. These
12 circumstances shall be verified by a third-party governmental or
13 private health and human services agency, except that domestic
14 violence may also be verified by a sworn statement by the victim,
15 as provided under Section 11495.25. Homeless assistance payments
16 based on these specific circumstances may not be received more
17 often than once in any 12-month period. In addition, if the domestic
18 violence is verified by a sworn statement by the victim, the homeless
19 assistance payments shall be limited to two periods of not more
20 than 16 consecutive calendar days of temporary assistance and
21 two payments of permanent assistance. A county may require that
22 a recipient of homeless assistance benefits who qualifies under
23 this paragraph for a second time in a 24-month period participate
24 in a homelessness avoidance case plan as a condition of eligibility
25 for homeless assistance benefits. The county welfare department
26 shall immediately inform recipients who verify domestic violence
27 by a sworn statement of the availability of domestic violence
28 counseling and services, and refer those recipients to services
29 upon request.

30 (iv) If a county requires a recipient who verifies domestic
31 violence by a sworn statement to participate in a homelessness
32 avoidance case plan pursuant to clause (iii), the plan shall include
33 the provision of domestic violence services, if appropriate.

34 (v) If a recipient seeking homeless assistance based on domestic
35 violence pursuant to clause (iii) has previously received homeless
36 avoidance services based on domestic violence, the county shall
37 review whether services were offered to the recipient and consider
38 what additional services would assist the recipient in leaving the
39 domestic violence situation.

1 (vi) *The county welfare department shall report necessary data*
2 *to the department through a statewide homeless assistance payment*
3 *indicator system, as requested by the department, regarding all*
4 *recipients of aid under this paragraph.*

5 (F) *The county welfare departments, and all other entities*
6 *participating in the costs of the CalWORKs program, have the*
7 *right in their share to any refunds resulting from payment of the*
8 *permanent housing. However, if an emergency requires the family*
9 *to move within the 12-month period specified in subparagraph*
10 *(E), the family shall be allowed to use any refunds received from*
11 *its deposits to meet the costs of moving to another residence.*

12 (G) *Payments to providers for temporary shelter and permanent*
13 *housing and utilities shall be made on behalf of families requesting*
14 *these payments.*

15 (H) *The daily amount for the temporary shelter special needs*
16 *benefit for homeless assistance may be increased if authorized by*
17 *the current year's Budget Act by specifying a different daily*
18 *allowance and appropriating the funds therefor.*

19 (I) *No payment shall be made pursuant to this paragraph unless*
20 *the provider of housing is a commercial establishment, shelter, or*
21 *person in the business of renting properties who has a history of*
22 *renting properties.*

23 (g) *The department shall establish rules and regulations*
24 *ensuring the uniform statewide application of this section.*

25 (h) *The department shall notify all applicants and recipients of*
26 *aid through the standardized application form that these benefits*
27 *are available and shall provide an opportunity for recipients to*
28 *apply for the funds quickly and efficiently.*

29 (i) (A) *Except for the purposes of Section 15200, the amounts*
30 *payable to recipients pursuant to Section 11453.1 shall not*
31 *constitute part of the payment schedule set forth in subdivision*
32 *(a).*

33 (B) *The amounts payable to recipients pursuant to Section*
34 *11453.1 shall not constitute income to recipients of aid under this*
35 *section.*

36 (j) *For children receiving Kin-GAP pursuant to Article 4.5*
37 *(commencing with Section 11360) or Article 4.7 (commencing with*
38 *Section 11385) there shall be paid, exclusive of any amount*
39 *considered exempt as income, an amount of aid each month, which,*

1 *when added to the child's income, is equal to the rate specified in*
2 *Sections 11364 and 11387.*

3 *(k) (1) A county shall implement the semiannual reporting*
4 *requirements in accordance with Chapter 501 of the Statutes of*
5 *2011 no later than October 1, 2013.*

6 *(2) Upon completion of the implementation described in*
7 *paragraph (1), each county shall provide a certificate to the*
8 *director certifying that semiannual reporting has been implemented*
9 *in the county.*

10 *(3) Upon filing the certificate described in paragraph (2), a*
11 *county shall comply with the semiannual reporting provisions of*
12 *this section.*

13 *(l) This section shall become operative on January 1, 2017.*

14 *SEC. 17. Section 11450.025 of the Welfare and Institutions*
15 *Code is amended to read:*

16 *11450.025. (a) (1) Notwithstanding any other law, effective*
17 *on March 1, 2014, the maximum aid payments in effect on July*
18 *1, 2012, as specified in subdivision (b) of Section 11450.02, shall*
19 *be increased by 5 percent.*

20 *(2) Effective April 1, 2015, the maximum aid payments in effect*
21 *on July 1, 2014, as specified in paragraph (1), shall be increased*
22 *by 5 percent.*

23 *(3) Effective October 1, 2016, the maximum aid payments in*
24 *effect on July 1, 2016, as specified in paragraph (2), shall be*
25 *increased by 1.43 percent.*

26 *(4) (A) Effective January 1, 2017, households eligible for aid*
27 *under this chapter shall receive an increased aid payment*
28 *consistent with the repeal of former Section 11450.04, as it read*
29 *on January 1, 2016, known as the "maximum family grant rule."*

30 *(B) In recognition of the increased cost of aid payments resulting*
31 *from that repeal, moneys deposited into the Child Poverty and*
32 *Family Supplemental Support Subaccount shall be allocated to*
33 *counties pursuant to Section 17601.50 as follows:*

34 *(i) One hundred seven million forty-seven thousand dollars*
35 *(\$107,047,000) for January 1, 2017, to June 30, 2017, inclusive.*

36 *(ii) Two hundred twenty-three million four hundred fifty-four*
37 *thousand dollars (\$223,454,000) for the 2017–18 fiscal year and*
38 *for every fiscal year thereafter.*

1 (b) Commencing in 2014 and annually thereafter, on or before
2 January 10 and on or before May 14, the Director of Finance shall
3 do all of the following:

4 (1) Estimate the amount of growth revenues pursuant to
5 subdivision (f) of Section 17606.10 that will be deposited in the
6 Child Poverty and Family Supplemental Support Subaccount of
7 the Local Revenue Fund for the current fiscal year and the
8 following fiscal year and the amounts in the subaccount carried
9 over from prior fiscal years.

10 (2) For the current fiscal year and the following fiscal year,
11 determine the total cost of providing the increases described in
12 subdivision (a), as well as any other increase in the maximum aid
13 payments subsequently provided only under this section, after
14 adjusting for updated projections of CalWORKs costs associated
15 with caseload changes, as reflected in the local assistance
16 subvention estimates prepared by the State Department of Social
17 Services and released with the annual Governor's Budget and
18 subsequent May Revision update.

19 (3) If the amount estimated in paragraph (1) plus the amount
20 projected to be deposited for the current fiscal year into the Child
21 Poverty and Family Supplemental Support Subaccount pursuant
22 to subparagraph (3) of subdivision (e) of Section 17600.15 is
23 greater than the amount determined in paragraph (2), the difference
24 shall be used to calculate the percentage increase to the CalWORKs
25 maximum aid payment standards that could be fully funded on an
26 ongoing basis beginning the following fiscal year.

27 (4) If the amount estimated in paragraph (1) plus the amount
28 projected to be deposited for the current fiscal year into the Child
29 Poverty and Family Supplemental Support Subaccount pursuant
30 to subparagraph (3) of subdivision (e) of Section 17600.15 is equal
31 to or less than the amount determined in paragraph (2), no
32 additional increase to the CalWORKs maximum aid payment
33 standards shall be provided in the following fiscal year in
34 accordance with this section.

35 (5) (A) Commencing with the 2014–15 fiscal year and for all
36 fiscal years thereafter, if changes to the estimated amounts
37 determined in paragraphs (1) or (2), or both, as of the May
38 Revision, are enacted as part of the final budget, the Director of
39 Finance shall repeat, using the same methodology used in the May
40 Revision, the calculations described in paragraphs (3) and (4) using

1 the revenue projections and grant costs assumed in the enacted
2 budget.

3 (B) If a calculation is required pursuant to subparagraph (A),
4 the Department of Finance shall report the result of this calculation
5 to the appropriate policy and fiscal committees of the Legislature
6 upon enactment of the Budget Act.

7 (c) An increase in maximum aid payments calculated pursuant
8 to paragraph (3) of subdivision (b), or pursuant to paragraph (5)
9 of subdivision (b) if applicable, shall become effective on October
10 1 of the following fiscal year.

11 (d) (1) An increase in maximum aid payments provided in
12 accordance with this section shall be funded with growth revenues
13 from the Child Poverty and Family Supplemental Support
14 Subaccount in accordance with paragraph (3) of subdivision (e)
15 of Section 17600.15 and subdivision (f) of Section 17606.10, to
16 the extent funds are available in that subaccount.

17 (2) If funds received by the Child Poverty and Family
18 Supplemental Support Subaccount in a particular fiscal year are
19 insufficient to fully fund any increases to maximum aid payments
20 made pursuant to this section, the remaining cost for that fiscal
21 year will be addressed through existing provisional authority
22 included in the annual Budget Act. Additional ~~grant~~ increases *to*
23 *the maximum aid payments* shall not be provided until and unless
24 the ongoing cumulative costs of all prior ~~grant~~ increases provided
25 pursuant to this section are fully funded by the Child Poverty and
26 Family Supplemental Support Subaccount.

27 (e) Notwithstanding Section 15200, counties shall not be
28 required to contribute a share of the costs to cover the increases
29 to maximum aid payments made pursuant to this section.

30 *SEC. 18. Section 11450.04 of the Welfare and Institutions Code*
31 *is amended to read:*

32 11450.04. (a) For purposes of determining the maximum aid
33 payment specified in subdivision (a) of Section 11450 and for no
34 other purpose, the number of needy persons in the same family
35 shall not be increased for any child born into a family that has
36 received aid under this chapter continuously for the 10 months
37 prior to the birth of the child. For purposes of this section, aid shall
38 be considered continuous unless the family does not receive aid
39 during two consecutive months. This subdivision shall not apply

1 to applicants for, or recipients of, aid unless notification is provided
2 pursuant to this section.

3 (b) This section shall not apply with respect to any of the
4 following children:

5 (1) Any child who was conceived as a result of an act of rape,
6 as defined in Sections 261 and 262 of the Penal Code, if the rape
7 was reported to a law enforcement agency, medical or mental
8 health professional or social services agency prior to, or within
9 three months after, the birth of the child.

10 (2) Any child who was conceived as a result of an incestuous
11 relationship if the relationship was reported to a medical or mental
12 health professional or a law enforcement agency or social services
13 agency prior to, or within three months after, the birth of the child,
14 or if paternity has been established.

15 (3) Any child who was conceived as a result of contraceptive
16 failure if the parent was using an intrauterine device, a Norplant,
17 or the sterilization of either parent.

18 (c) This section shall not apply to any child born on or before
19 November 1, 1995.

20 (d) (1) This section shall not apply to any child to whom it
21 would otherwise apply if the family has not received aid for 24
22 consecutive months while the child was living with the family.

23 (2) This section shall not apply to any child conceived when
24 either parent was a nonneedy caretaker relative.

25 (3) This section shall not apply to any child who is no longer
26 living in the same home with either parent.

27 (e) One hundred percent of any child support payment received
28 for a child born into the family, but for whom the maximum aid
29 payment is not increased pursuant to this section, shall be paid to
30 the assistance unit. Any such child support payment shall not be
31 considered as income to the family for the purpose of calculating
32 the amount of aid for which the family is eligible under this article.

33 (f) Commencing January 1, 1995, each county welfare
34 department shall notify applicants for assistance under this chapter,
35 in writing, of the provisions of this section. The notification shall
36 also be provided to recipients of aid under this chapter, in writing,
37 at the time of recertification, or sooner. The notification required
38 by this section shall set forth the provisions of this section and
39 shall state explicitly the impact these provisions would have on
40 the future aid to the assistance unit. This section shall not apply

1 to any recipient's child earlier than 12 months after the mailing of
2 an informational notice as required by this subdivision.

3 (g) (1) The department shall seek all appropriate federal waivers
4 for the implementation of this section.

5 (2) The department shall implement this section commencing
6 on the date the Director of Social Services executes a declaration,
7 that shall be retained by the director, stating that the administrative
8 actions required by paragraph (1) as a condition of implementation
9 of this section have been taken by the United States Secretary of
10 Health and Human Services.

11 (h) Subdivisions (a) to (g), inclusive, shall become operative
12 on January 1, 1995.

13 (i) *This section shall remain in effect only until January 1, 2017,*
14 *and as of that date is repealed, unless a later enacted statute, that*
15 *is enacted before January 1, 2017, deletes or extends that date.*

16 SEC. 19. *Section 11461.3 of the Welfare and Institutions Code*
17 *is amended to read:*

18 11461.3. (a) The Approved Relative Caregiver Funding Option
19 Program is hereby established for the purpose of making the
20 amount paid to approved relative caregivers for the in-home care
21 of children placed with them who are ineligible for AFDC-FC
22 payments equal to the amount paid on behalf of children who are
23 eligible for AFDC-FC payments. This is an optional program for
24 counties choosing to participate, and in so doing, participating
25 counties agree to the terms of this section as a condition of their
26 participation. It is the intent of the Legislature that the funding
27 described in paragraph (1) of subdivision (g) for the Approved
28 Relative Caregiver Funding Option Program be appropriated, and
29 available for use from January through December of each year,
30 unless otherwise specified.

31 (b) Subject to subdivision (e), effective January 1, 2015,
32 participating counties shall pay an approved relative caregiver a
33 per child per month rate in return for the care and supervision, as
34 defined in subdivision (b) of Section 11460, of a child that is placed
35 with the relative caregiver that is equal to the basic rate paid to
36 foster care providers pursuant to subdivision (g) of Section 11461,
37 if both of the following conditions are met:

38 (1) The county with payment responsibility has notified the
39 department in writing by October 1 of the year before participation

1 begins of its decision to participate in the Approved Relative
2 Caregiver Funding Option Program.

3 (2) The related child placed in the home meets all of the
4 following requirements:

5 (A) The child resides in California.

6 (B) The child is described by subdivision (b), (c), or (e) of
7 Section 11401 and the county welfare department or the county
8 probation department is responsible for the placement and care of
9 the child.

10 (C) The child is not eligible for AFDC-FC while placed with
11 the approved relative caregiver because the child is not eligible
12 for federal financial participation in the AFDC-FC payment.

13 (c) Any income or benefits received by an eligible child or the
14 approved relative caregiver on behalf of the eligible child that
15 would be offset against the basic rate paid to a foster care provider
16 pursuant to subdivision (g) of Section 11461, shall be offset from
17 any funds that are not CalWORKs funds paid to the approved
18 relative caregiver pursuant to this section.

19 (d) Participating counties shall recoup an overpayment in the
20 Approved Relative Caregiver Funding Option Program received
21 by an approved relative caregiver using the standards and processes
22 for overpayment recoupment that are applicable to overpayments
23 to an approved home of a relative, as specified in Section 11466.24.
24 Recouped overpayments shall not be subject to remittance to the
25 federal government. Any overpaid funds that are collected by the
26 participating counties shall be remitted to the state after subtracting
27 both of the following:

28 (1) An amount not to exceed the county share of the CalWORKs
29 portion of the Approved Relative Caregiver Funding Option
30 Program payment, if any.

31 (2) Any other county funds that were included in the Approved
32 Relative Caregiver Funding Option Program payment.

33 (e) A county's election to participate in the Approved Relative
34 Caregiver Funding Option Program shall affirmatively indicate
35 that the county understands and agrees to all of the following
36 conditions:

37 (1) Commencing October 1, 2014, the county shall notify the
38 department in writing of its decision to participate in the Approved
39 Relative Caregiver Funding Option Program. Failure to make
40 timely notification, without good cause as determined by the

1 department, shall preclude the county from participating in the
2 program for the upcoming calendar year. Annually thereafter, any
3 county not already participating who elects to do so shall notify
4 the department in writing no later than October 1 of its decision
5 to participate for the upcoming calendar year.

6 (2) The county shall confirm that it will make per child per
7 month payments to all approved relative caregivers on behalf of
8 eligible children in the amount specified in subdivision (b) for the
9 duration of the participation of the county in this program.

10 (3) The county shall confirm that it will be solely responsible
11 to pay any additional costs needed to make all payments pursuant
12 to subdivision (b) if the state and federal funds allocated to the
13 Approved Relative Caregiver Funding Option Program pursuant
14 to paragraph (1) of subdivision(g) are insufficient to make all
15 eligible payments.

16 (f) (1) A county deciding to opt out of the Approved Relative
17 Caregiver Funding Option Program shall provide at least 120 days'
18 prior written notice of that decision to the department. Additionally,
19 the county shall provide at least 90 days' prior written notice to
20 the approved relative caregiver or caregivers informing them that
21 his or her per child per month payment will be reduced and the
22 date that the reduction will occur.

23 (2) The department shall presume that all counties have opted
24 out of the Approved Relative Caregiver Funding Option Program
25 if the funding appropriated for the current 12-month period is
26 reduced below the amount specified in subparagraph (B),
27 subparagraph (C), or subparagraph (D) of paragraph(2) of
28 subdivision (g) for that 12-month period, unless a county notifies
29 the department in writing of its intent to opt in within 60 days of
30 enactment of the State Budget. The counties shall provide at least
31 90 days' prior written notice to the approved relative caregiver or
32 caregivers informing them that his or her per child per month
33 payment will be reduced, and the date that reduction will occur.

34 (3) Any reduction in payments received by an approved relative
35 caregiver on behalf of a child under this section that results from
36 a decision by a county, including the presumed opt-out pursuant
37 to paragraph (2), to not participate in the Approved Relative
38 Caregiver Funding Option Program shall be exempt from state
39 hearing jurisdiction under Section 10950.

(g) (1) The following funding shall be used for the Approved Relative Caregiver Funding Option Program:

(A) The applicable regional per-child CalWORKs grant, in accordance with subdivision (a) of Section 11253.4.

(B) General Fund resources, as appropriated in paragraph (2).

(C) County funds only to the extent required under paragraph (3) of subdivision (e).

(D) Funding described in subparagraphs (A) and (B) is intended to fully fund the base caseload of approved relative caregivers, which is defined as the number of approved relative caregivers caring for a child who is not eligible to receive AFDC-FC payments, as of July 1, 2014.

(2) The following amount is hereby appropriated from the General Fund as follows:

(A) The sum of fifteen million dollars (\$15,000,000), for the period of January 1, 2015, to June 30, 2015, inclusive.

(B) For the period of July 1, 2015, to June 30, 2016, inclusive, there shall be appropriated an amount equal to the sum of all of the following:

(i) Two times the amount appropriated pursuant to subparagraph (A), inclusive of any increase pursuant to paragraph (3).

(ii) The amount necessary to increase or decrease the CalWORKs funding associated with the base caseload described in subparagraph (D) of paragraph (1) to reflect any change from the prior fiscal year in the applicable regional per-child CalWORKs grant described in subparagraph (A) of paragraph (1).

(iii) The additional amount necessary to fully fund the base caseload described in subparagraph (D) of paragraph (1), reflective of the annual California Necessities Index increase to the basic rate paid to foster care providers.

(C) For every 12-month period thereafter, commencing with the period of July 1, 2016, to June 30, 2017, inclusive, the sum of all of the following shall be appropriated for purposes of this section:

(i) The total General Fund amount provided pursuant to this paragraph for the previous 12-month period.

(ii) The amount necessary to increase or decrease the CalWORKs funding associated with the base caseload described in subparagraph (D) of paragraph (1) to reflect any change from

1 the prior fiscal year in the applicable regional per-child CalWORKs
2 grant described in subparagraph (A) of paragraph (1).

3 (iii) The additional amount necessary to fully fund the base
4 caseload described in subparagraph (D) of paragraph (1), reflective
5 of the annual California Necessities Index increase to the basic
6 rate paid to foster care providers.

7 (D) Notwithstanding clauses (ii) and (iii) of subparagraph (B)
8 and clauses (ii) and (iii) of subparagraph (C), the total General
9 Fund appropriation made pursuant to subparagraph (B) shall not
10 be less than the greater of the following amounts:

11 (i) Thirty million dollars (\$30,000,000).

12 (ii) Two times the amount appropriated pursuant to subparagraph
13 (A), inclusive of any increase pursuant to paragraph (3).

14 (3) To the extent that the appropriation made by subparagraph
15 (A) of paragraph (2) is insufficient to fully fund the base caseload
16 of approved relative caregivers as of July 1, 2014, as described in
17 subparagraph (D) of paragraph (1), for the period of January 1,
18 2015, to June 30, 2015, inclusive, as jointly determined by the
19 department and the County Welfare Directors' Association and
20 approved by the Department of Finance on or before October 1,
21 2015, the amount specified in subparagraph (A) of paragraph (2)
22 shall be increased by the amount necessary to fully fund that base
23 caseload.

24 (4) Funds available pursuant to paragraph (2) shall be allocated
25 to participating counties proportionate to the number of their
26 approved relative caregiver placements, using a methodology and
27 timing developed by the department, following consultation with
28 county human services agencies and their representatives.

29 (5) Notwithstanding subdivision (e), if in any calendar year the
30 entire amount of funding appropriated by the state for the Approved
31 Relative Caregiver Funding Option Program has not been fully
32 allocated to or utilized by participating counties, a participating
33 county that has paid any funds pursuant to subparagraph (C) of
34 paragraph (1) of subdivision (g) may request reimbursement for
35 those funds from the department. The authority of the department
36 to approve the requests shall be limited by the amount of available
37 unallocated funds.

38 (h) An approved relative caregiver receiving payments on behalf
39 of a child pursuant to this section shall not be eligible to receive

1 additional CalWORKs payments on behalf of the same child under
2 Section 11450.

3 (i) To the extent permitted by federal law, payments received
4 by the approved relative caregiver from the Approved Relative
5 Caregiver Funding Option Program shall not be considered income
6 for the purpose of determining other public benefits.

7 (j) Prior to referral of any individual or recipient, or that person's
8 case, to the local child support agency for child support services
9 pursuant to Section 17415 of the Family Code, the county human
10 services agency shall determine if an applicant or recipient has
11 good cause for noncooperation, as set forth in Section 11477.04.
12 If the applicant or recipient claims good cause exception at any
13 subsequent time to the county human services agency or the local
14 child support agency, the local child support agency shall suspend
15 child support services until the county social services agency
16 determines the good cause claim, as set forth in Section 11477.04.
17 If good cause is determined to exist, the local child support agency
18 shall suspend child support services until the applicant or recipient
19 requests their resumption, and shall take other measures that are
20 necessary to protect the applicant or recipient and the children. If
21 the applicant or recipient is the parent of the child for whom aid
22 is sought and the parent is found to have not cooperated without
23 good cause as provided in Section 11477.04, the applicant's or
24 recipient's family grant shall be reduced by 25 percent for the time
25 the failure to cooperate lasts.

26 (k) Consistent with Section 17552 of the Family Code, if aid is
27 paid under this chapter on behalf of a child who is under the
28 jurisdiction of the juvenile court and whose parent or guardian is
29 receiving reunification services, the county human services agency
30 shall determine, prior to referral of the case to the local child
31 support agency for child support services, whether the referral is
32 in the best interest of the child, taking into account both of the
33 following:

34 (1) Whether the payment of support by the parent will pose a
35 barrier to the proposed reunification in that the payment of support
36 will compromise the parent's ability to meet the requirements of
37 the parent's reunification plan.

38 (2) Whether the payment of support by the parent will pose a
39 barrier to the proposed reunification in that the payment of support

1 will compromise the parent's current or future ability to meet the
2 financial needs of the child.

3 *(l) Effective January 1, 2017, if a relative has been approved*
4 *as a resource family pursuant to Section 16519.5, the approved*
5 *relative shall be paid an amount equal to the resource family basic*
6 *rate at the child's assessed level of care as set forth in subdivision*
7 *(g) of Section 11461 and Section 11463.*

8 SEC. 20. Section 11461.4 is added to the Welfare and
9 Institutions Code, to read:

10 11461.4. (a) Notwithstanding any other law, a tribe that has
11 entered into an agreement pursuant to Section 10553.1 may,
12 subject to the provisions of this section, elect to participate in the
13 Tribal Approved Relative Caregiver Funding Option Program.

14 (b) (1) In return for the care and supervision of a child placed
15 with an approved relative caregiver, a participating tribe shall
16 pay the approved relative caregiver a per child per month rate
17 that, when added to the tribal Temporary Aid to Needy Families
18 (tribal TANF) benefit received by the approved relative caregiver
19 on behalf of the child, shall equal the basic rate paid to a foster
20 care provider pursuant to subdivision (g) of Section 11461.

21 (2) Payments made pursuant to paragraph (1) shall be made
22 only if all of the following conditions exist:

23 (A) The tribe has notified the department in writing of its
24 decision to participate in the program, consistent with subdivision
25 (c).

26 (B) The child has been removed from the parent or guardian
27 and has been placed into the placement and care responsibility of
28 the tribal child welfare agency pursuant to a voluntary placement
29 agreement or by the tribal court, consistent with the tribe's Title
30 IV-E agreement.

31 (C) The child resides within California.

32 (D) The caregiver is receiving tribal TANF payments, or an
33 application for tribal TANF has been made, on behalf of the child.

34 (E) The child is not eligible for AFDC-FC while placed with
35 the approved relative caregiver because the child is not eligible
36 for federal financial participation in the AFDC-FC payment.

37 (3) Any income or benefits received by an eligible child, or by
38 the approved relative caregiver on behalf of an eligible child,
39 which would be offset against a payment made to a foster care
40 provider, shall be offset from the amount paid by the tribe under

1 *the program. This paragraph shall not apply to any tribal TANF*
2 *payments received on behalf of an eligible child.*

3 *(4) An approved relative caregiver receiving payments on behalf*
4 *of a child pursuant to this section shall not be eligible to receive*
5 *CalWORKs payments on behalf of the same child under Section*
6 *11450.*

7 *(5) To the extent permitted by federal law, payments received*
8 *by the approved relative caregiver from the program shall not be*
9 *considered income for the purpose of determining other public*
10 *benefits.*

11 *(c) (1) (A) A tribe electing to participate in the program in the*
12 *2016–17 fiscal year shall notify the department on or before*
13 *October 1, 2016, that it intends to begin participation. Failure to*
14 *make timely notification, without good cause as determined by the*
15 *department, shall preclude the tribe from participating in the*
16 *program for the 2016–17 fiscal year.*

17 *(B) In any fiscal year after the 2016–17 fiscal year, a tribe*
18 *electing to participate in the program shall notify the department*
19 *on or before January 1 that it intends to begin participation on or*
20 *after the following July 1. Failure to make timely notification,*
21 *without good cause as determined by the department, shall*
22 *preclude the tribe from participating in the program for the*
23 *upcoming fiscal year.*

24 *(2) As a condition of opting into the program, the tribe shall do*
25 *all of the following:*

26 *(A) Provide to the department the tribal TANF maximum aid*
27 *payment (MAP) rate in effect at the time that the tribe elects to*
28 *participate in the program, consistent with the tribe's approved*
29 *tribal TANF plan.*

30 *(B) Provide data necessary, as determined by the department*
31 *in consultation with the tribe, to determine the base caseload for*
32 *the tribe as of July 1, 2016, consistent with subdivision (d).*

33 *(C) Agree to recoup overpayments to an approved relative*
34 *caregiver utilizing the standards for determining whether an*
35 *overpayment is recoupable, and the processes for overpayment*
36 *recoupment, that are applicable to overpayments as described in*
37 *the tribe's Title IV-E agreement entered into pursuant to Section*
38 *10553.1.*

39 *(D) Agree that the tribe shall be solely responsible for any*
40 *additional costs incurred in making payments under this section*

1 in the event that the funds allocated to a tribe from the
2 appropriation made by the Legislature for the tribe's participation
3 in the program are not sufficient to fully fund all payments specified
4 in paragraph (1) of subdivision (b).

5 (E) Agree to make child support referrals for program cases,
6 consistent with processes applied by the tribe to Title IV-E program
7 cases.

8 (3) The participating tribe shall provide the information
9 specified in subparagraphs (A) and (B) of paragraph (2) at least
10 60 days prior to the date the tribe will begin participating in the
11 program.

12 (d) (1) In consultation with the participating tribe, the
13 department shall determine the initial base caseload of the
14 participating tribe, using the most recent available data provided
15 by the tribe.

16 (2) The department shall determine the amount necessary to
17 fund the base caseload of the participating tribe. The allocation
18 methodology shall consider the tribal TANF rate of the
19 participating tribe in effect on July 1, 2016.

20 (e) (1) A tribe electing to opt out of the program shall provide
21 at least 120 days' prior written notice of that election to the
22 department and at least 90 days' prior written notice to all
23 approved relative caregivers to whom the tribe is making payments
24 under the program. The notice to caregivers shall specify the date
25 on which the per child per month payment will be reduced and the
26 date the tribe's participation in the program will cease.

27 (2) If the Legislature, for any given fiscal year, appropriates
28 an amount less than that specified in paragraph (2) of subdivision
29 (f), the department shall presume that all participating tribes have
30 opted out of the program for that fiscal year unless a tribe notifies
31 the department in writing of its intent to opt in within 60 days of
32 the enactment of the annual Budget Act. A tribe that does not elect
33 to continue participating in the program shall provide the notice
34 to caregivers specified in paragraph (1).

35 (3) A tribe that has opted out of the program for any reason
36 may resume participating in the program on July 1 of any year,
37 upon providing the department with written notice on or before
38 the preceding March 1 of its intent to resume participation.

39 (f) (1) (A) The following funding shall be used for the program:

1 (i) *The tribe's applicable per-child tribal TANF grant at the*
2 *MAP rate in effect on July 1, 2016.*

3 (ii) *General Fund resources, as specified in paragraph (2).*

4 (iii) *Tribal funds only to the extent required under subparagraph*
5 *(D) of paragraph (2) of subdivision (c).*

6 (B) *Funding described in clauses (i) and (ii) of subparagraph*
7 *(A) is intended to fully fund the base caseload of approved relative*
8 *caregivers, which is defined as the number of approved relative*
9 *caregivers caring for a child who is not eligible to receive*
10 *AFDC-FC payments as of July 1, 2016.*

11 (2) *The following amounts are hereby appropriated from the*
12 *General Fund:*

13 (A) *For the 2016–17 fiscal year, the sum sufficient to fund the*
14 *initial base caseload, as determined in subdivision (d), for tribes*
15 *eligible for participation as of July 1, 2016.*

16 (B) *For the 2017–18 fiscal year, and every fiscal year thereafter,*
17 *the sum of the following:*

18 (i) *The total General Fund amount appropriated for the*
19 *purposes of this section for the previous fiscal year.*

20 (ii) *The additional amount necessary to fully fund the base*
21 *caseload described in subparagraph (B) of paragraph (1),*
22 *reflective of the annual California Necessities Index increase to*
23 *the basic rate paid to foster care providers pursuant to subdivision*
24 *(g) of Section 11461.*

25 (3) *Funds specified in paragraph (2) shall be allocated to*
26 *participating tribes proportionate to their number of approved*
27 *relative caregiver placements, using a methodology and timing*
28 *developed by the department, following consultation with*
29 *participating tribes.*

30 (4) *Notwithstanding subdivision (c), if in any fiscal year the*
31 *entire amount of funding appropriated by the Legislature for the*
32 *program has not been fully allocated to, or utilized by,*
33 *participating tribes, a participating tribe that has paid any funds*
34 *pursuant to subparagraph (D) of paragraph (2) of subdivision (c)*
35 *may request reimbursement for those funds from the department.*
36 *The authority of the department to approve the requests shall be*
37 *limited by the amount of available unallocated funds.*

38 (g) *If more than two eligible tribes elect to participate in the*
39 *program and, as a result, the appropriation made pursuant to*
40 *subdivision (f) is insufficient to fully fund the base caseload of*

1 approved relative caregivers, as jointly determined by the
2 department and the participating tribes and approved by the
3 Department of Finance, the amount specified in subdivision (f)
4 shall be increased by the amount necessary to fully fund that base
5 caseload.

6 (h) For the purposes of this section, the following definitions
7 apply:

8 (1) “Basic foster care rate” means the monthly rate paid to
9 foster care providers pursuant to subdivision (g) of Section 11461.

10 (2) “Program” means the Tribal Approved Relative Caregiver
11 Funding Option Program established in this section.

12 (3) “Relative” means an adult who is related to the child by
13 blood, adoption, or affinity within the fifth degree of kinship,
14 including stepparents, stepsiblings, and all relatives whose status
15 is preceded by the words “great,” “great-great,” or “grand,” or
16 the spouse of any of these persons even if the marriage was
17 terminated by death or dissolution, or as otherwise established
18 consistent with the tribe’s Title IV-E agreement.

19 (4) “Tribe” means a federally-recognized Indian tribe,
20 consortium of tribes, or tribal organization with an agreement
21 pursuant to Section 10553.1.

22 SEC. 21. Section 11465 of the Welfare and Institutions Code
23 is amended to read:

24 11465. (a) When a child is living with a parent who receives
25 AFDC-FC or Kin-GAP benefits, the rate paid to the provider on
26 behalf of the parent shall include an amount for care and
27 supervision of the child.

28 (b) For each category of eligible licensed community care
29 facility, as defined in Section 1502 of the Health and Safety Code,
30 the department shall adopt regulations setting forth a uniform rate
31 to cover the cost of care and supervision of the child in each
32 category of eligible licensed community care facility.

33 (c) (1) On and after July 1, 1998, the uniform rate to cover the
34 cost of care and supervision of a child pursuant to this section shall
35 be increased by 6 percent, rounded to the nearest dollar. The
36 resultant amounts shall constitute the new uniform rate.

37 (2) (A) On and after July 1, 1999, the uniform rate to cover the
38 cost of care and supervision of a child pursuant to this section shall
39 be adjusted by an amount equal to the California Necessities Index
40 computed pursuant to Section 11453, rounded to the nearest dollar.

1 The resultant amounts shall constitute the new uniform rate, subject
2 to further adjustment pursuant to subparagraph (B).

3 (B) In addition to the adjustment specified in subparagraph (A),
4 on and after January 1, 2000, the uniform rate to cover the cost of
5 care and supervision of a child pursuant to this section shall be
6 increased by 2.36 percent, rounded to the nearest dollar. The
7 resultant amounts shall constitute the new uniform rate.

8 (3) Subject to the availability of funds, for the 2000–01 fiscal
9 year and annually thereafter, these rates shall be adjusted for cost
10 of living pursuant to procedures in Section 11453.

11 (4) On and after January 1, 2008, the uniform rate to cover the
12 cost of care and supervision of a child pursuant to this section shall
13 be increased by 5 percent, rounded to the nearest dollar. The
14 resulting amount shall constitute the new uniform rate.

15 (5) *Commencing July 1, 2016, the uniform rate to cover the cost*
16 *of care and supervision of a child pursuant to this section shall be*
17 *supplemented by an additional monthly amount of four hundred*
18 *eighty-nine dollars (\$489). This monthly supplement shall only be*
19 *provided if funding for this purpose is appropriated in the annual*
20 *Budget Act.*

21 (d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the
22 payment made pursuant to this section for care and supervision of
23 a child who is living with a teen parent in a whole family foster
24 home, as defined in Section 11400, shall equal the basic rate for
25 children placed in a licensed or approved home as specified in
26 subdivisions (a) to (d), inclusive, and subdivision (g), of Section
27 11461.

28 (2) (A) The amount paid for care and supervision of a dependent
29 infant living with a dependent teen parent receiving AFDC-FC
30 benefits in a group home placement shall equal the infant
31 supplement rate for group home placements.

32 (B) Commencing January 1, 2017, the amount paid for care and
33 supervision of a dependent infant living with a dependent teenage
34 parent receiving AFDC-FC benefits in a short-term residential
35 treatment center shall equal the infant supplement rate for
36 short-term residential treatment centers established by the
37 department.

38 (3) (A) The caregiver shall provide the county child welfare
39 agency or probation department with a copy of the shared
40 responsibility plan developed pursuant to Section 16501.25 and

1 shall advise the county child welfare agency or probation
2 department of any subsequent changes to the plan. Once the plan
3 has been completed and provided to the appropriate agencies, the
4 payment made pursuant to this section shall be increased by an
5 additional two hundred dollars (\$200) per month to reflect the
6 increased care and supervision while he or she is placed in the
7 whole family foster home.

8 (B) A nonminor dependent parent residing in a supervised
9 independent living placement, as defined in subdivision (w) of
10 Section 11400, who develops a written parenting support plan
11 pursuant to Section 16501.26 shall provide the county child welfare
12 agency or probation department with a copy of the plan and shall
13 advise the county child welfare agency or probation department
14 of any subsequent changes to the plan. The payment made pursuant
15 to this section shall be increased by an additional two hundred
16 dollars (\$200) per month after all of the following have been
17 satisfied:

18 (i) The plan has been completed and provided to the appropriate
19 county agency.

20 (ii) The plan has been approved by the appropriate county
21 agency.

22 (iii) The county agency has determined that the identified
23 responsible adult meets the criteria specified in Section 16501.27.

24 (4) In a year in which the payment provided pursuant to this
25 section is adjusted for the cost of living as provided in paragraph
26 (1) of subdivision (c), the payments provided for in this subdivision
27 shall also be increased by the same procedures.

28 (5) A Kin-GAP relative who, immediately prior to entering the
29 Kin-GAP program, was designated as a whole family foster home
30 shall receive the same payment amounts for the care and
31 supervision of a child who is living with a teen parent they received
32 in foster care as a whole family foster home.

33 (6) On and after January 1, 2012, the rate paid for a child living
34 with a teen parent in a whole family foster home as defined in
35 Section 11400 shall also be paid for a child living with a nonminor
36 dependent parent who is eligible to receive AFDC-FC or Kin-GAP
37 pursuant to Section 11403.

38 *SEC. 22. Section 12201.06 is added to the Welfare and*
39 *Institutions Code, immediately following Section 12201.05, to*
40 *read:*

12201.06. Commencing January 1, 2017, the amount of aid paid pursuant to this article, in effect on December 31, 2016, less the federal benefit portion received under Part A of Title XVI of the federal Social Security Act, shall be increased by 2.76 percent.

SEC. 23. Section 12301.02 of the Welfare and Institutions Code is amended to read:

12301.02. (a) (1) Notwithstanding any other law, except as provided in ~~subdivision (e)~~, subdivisions (c) and (e), the department shall implement a ~~7-percent~~ 7-percent reduction in hours of service to each recipient of services under this article, which shall be applied to the recipient's hours as authorized pursuant to the most recent assessment. This reduction shall become effective 12 months after the implementation of the reduction set forth in Section 12301.01. The reduction required by this section shall not preclude any reassessment to which a recipient would otherwise be entitled. However, hours authorized pursuant to a reassessment shall be subject to the ~~7-percent~~ 7-percent reduction required by this section.

(2) A request for reassessment based only on the reduction required in paragraph (1) may be administratively denied by the county.

(3) A recipient of services under this article may direct the manner in which the reduction of hours is applied to the recipient's previously authorized services.

(4) For those individuals who have a documented unmet need, excluding protective supervision because of the limitations on authorized hours under Section 12303.4, the reduction shall be taken first from the documented unmet need.

(b) The notice of action informing the recipient of the reduction pursuant to subdivision (a) shall be mailed at least 20 days prior to the reduction going into effect. The notice of action shall be understandable to the recipient and translated into all languages spoken by a substantial number of the public served by the In-Home Supportive Services program, in accordance with Section 7295.2 of the Government Code. The notice shall not contain any recipient financial or confidential identifying information other than the recipient's name, address, and Case Management Information and Payroll System (CMIPS) client identification number, and shall include, but not be limited to, all of the following information:

1 (1) The aggregate number of authorized hours before the
2 reduction pursuant to subdivision (a) and the aggregate number of
3 authorized hours after the reduction.

4 (2) That the recipient may direct the manner in which the
5 reduction of authorized hours is applied to the recipient's
6 previously authorized services.

7 (3) A county shall assess a recipient's need for supportive
8 services any time that the recipient notifies the county of a need
9 to adjust the supportive services hours authorized, or when there
10 are other indications or expectations of a change in circumstances
11 affecting the recipient's need for supportive services. Counties
12 shall not require recipients to submit a medical certification form
13 or a doctor's note to show evidence of a change in the recipient's
14 circumstances.

15 (c) A recipient shall have all appeal rights otherwise provided
16 for under Chapter 7 (commencing with Section 10950) of Part 2.

17 (d) The reduction specified in paragraph (1) of subdivision (a)
18 shall be ongoing and may be adjusted pursuant to Section 12301.03.

19 *(e) (1) The reduction specified in paragraph (1) of subdivision*
20 *(a) shall be suspended until July 1, 2019, if the managed care*
21 *organization provider tax imposed pursuant to Article 6.7*
22 *(commencing with Section 14199.50) of Chapter 7 remains*
23 *operative.*

24 *(2) Notwithstanding paragraph (1), if the managed care*
25 *organization provider tax imposed pursuant to Article 6.7*
26 *(commencing with Section 14199.50) of Chapter 7 ceases to be*
27 *operative for any reason, the reduction specified in paragraph (1)*
28 *of subdivision (a) shall be reinstated effective no later than the*
29 *first day of the first full month occurring 90 days after the date on*
30 *which the managed care organization provider tax ceases to be*
31 *operative.*

32 *(3) Notwithstanding the Administrative Procedure Act (Chapter*
33 *3.5 (commencing with Section 11340) of Part 1 of Division 3 of*
34 *Title 2 of the Government Code), the department may implement*
35 *this subdivision through an all-county letter or similar instructions*
36 *from the director until January 1, 2020.*

37 SEC. 24. Section 15200 of the Welfare and Institutions Code
38 is amended to read:

1 15200. There is hereby appropriated out of any money in the
2 State Treasury not otherwise appropriated, ~~and after deducting~~
3 ~~federal funds available, appropriated~~ the following sums:

4 (a) To each county for the support and maintenance of needy
5 children, ~~95 percent of the sums specified in subdivision (a), and~~
6 ~~paragraphs (1) and (2) of subdivision (e), of Section 11450. the~~
7 *sums specified in subdivisions (a), (e), and (f) of Section 11450,*
8 *after subtracting all the following amounts:*

9 (1) (A) *Except as described in subparagraph (B), a 2.5-percent*
10 *county share of cost.*

11 (B) *If Section 1613 of Title 8 of the United States Code applies,*
12 *a 5-percent county share of cost.*

13 (C) *The county share described in this paragraph shall not*
14 *apply to increases in maximum aid payments made in accordance*
15 *with Section 11450.025.*

16 (2) *Federal funds utilized for this purpose.*

17 (3) *The amount allocated to each county from the Family*
18 *Support Subaccount pursuant to Section 17601.75.*

19 (4) *The amount allocated to each county from the Child Poverty*
20 *and Family Supplemental Support Subaccount pursuant to Section*
21 *17601.50.*

22 (5) *The amount allocated to each county from the CalWORKs*
23 *Maintenance of Effort Subaccount pursuant to Section 17601.25.*

24 (b) To each county for the support and maintenance of pregnant
25 mothers, ~~95 percent of the sum~~ *the sums specified in subdivisions*
26 *(b) and (c) of Section 11450. 11450 after subtracting all of the*
27 *following amounts:*

28 (1) (A) *Except as described in subparagraph (B), a 2.5-percent*
29 *county share of cost.*

30 (B) *If Section 1613 of Title 8 of the United States Code applies,*
31 *a 5-percent county share of cost.*

32 (C) *The county share described in this paragraph shall not*
33 *apply to increases in maximum aid payments made in accordance*
34 *with Section 11450.025.*

35 (2) *Federal funds utilized for this purpose.*

36 (3) *The amount allocated to each county from the Family*
37 *Support Subaccount pursuant to Section 17601.75.*

38 (4) *The amount allocated to each county from the Child Poverty*
39 *and Family Supplemental Support Subaccount pursuant to Section*
40 *17601.50.*

1 (5) *The amount allocated to each county from the CalWORKs*
2 *Maintenance of Effort Subaccount pursuant to Section 17601.25.*

3 (c) ~~For~~ *After deducting federal funds available for the adequate*
4 *care of each child pursuant to subdivision (d) of Section 11450,*
5 *as follows:*

6 (1) *Prior to the 2011–12 fiscal year, an amount equal to 40*
7 *percent of the sum necessary for the adequate care of each child.*

8 (2) *Notwithstanding paragraph (1), beginning in the 2011–12*
9 *fiscal year, and for each fiscal year thereafter, funding and*
10 *expenditures for programs and activities under this subdivision*
11 *shall be in accordance with the requirements provided in Sections*
12 *30025 and 30026.5 of the Government Code.*

13 (d) (1) *Prior to the 2011–12 fiscal year for each county for the*
14 *support and care of hard-to-place adoptive children, and after*
15 *deducting federal funds available, 75 percent of the nonfederal*
16 *share of the amount specified in Section 16121.*

17 (2) *Notwithstanding paragraph (1), beginning in the 2011–12*
18 *fiscal year, and for each fiscal year thereafter, funding and*
19 *expenditures for programs and activities under this subdivision*
20 *shall be in accordance with the requirements provided in Sections*
21 *30025 and 30026.5 of the Government Code.*

22 *SEC. 25. Section 15200.15 of the Welfare and Institutions Code*
23 *is repealed.*

24 ~~15200.15. For purposes of Section 15200, any reference to~~
25 ~~paragraphs (1) and (2) of subdivision (c) of Section 11450 shall~~
26 ~~mean subdivisions (c) and (f) of Section 11450.~~

27 *SEC. 26. Section 16501.9 is added to the Welfare and*
28 *Institutions Code, to read:*

29 16501.9. (a) (1) *The Legislature hereby finds and declares*
30 *the Child Welfare Services-New System (CWS-NS) is the most*
31 *important system in the state for child welfare services staff to*
32 *ensure the safety and well-being of California's children. The State*
33 *of California has embarked upon on an agile procurement of the*
34 *CWS-NS.*

35 (2) *The Legislature further finds and declares that this approach*
36 *requires significant engagement with the end user throughout the*
37 *life of the system, including the county human services agencies*
38 *and child welfare services and probation staff.*

39 (b) (1) *The State Department of Social Services and the Office*
40 *of Systems Integration (OSI), in collaboration with the County*

Welfare Directors Association (CWDA), shall seek resources to enable the necessary level of engagement by the counties in the CWS-NS agile development and maintenance process to prevent the disruption of services to families and children at risk. This shall include, but not be limited to, timely and expeditious execution of contracts and contract amendments for participation in this effort, effective monitoring and evaluation of the CWS-NS effort, and implementation of mitigation strategies for risks and issues arising in the procurement, development, implementation, or operation of digital services pursuant to this section.

(2) The department and OSI shall provide a voting seat on all governance bodies of the CWS-NS for a CWDA representative and shall support and provide necessary accommodation for the stationing of county representatives at the project site.

(3) The department and OSI shall continue to provide monthly updates to the Legislature and to stakeholders, including CWDA, regarding efforts to develop and implement the CWS-NS. The updates shall include, but not be limited to, (A) the vacancy rate, the duration of each vacant position and its classification, and the status of efforts to fill the position, (B) challenges with recruiting and retaining qualified staff and a description of efforts to resolve the issues, (C) challenges with procurement, including any delays, and a description of efforts to resolve the issues, (D) any issues or risks, including, but not limited to, pending state and federal approvals and impacts on county child welfare programs that may jeopardize the project's completion or result in delays relative to the approved project schedule, budget, and scope, and (E) progress on the project, by digital service (module) along with a description of each digital service, and projected completion dates for any significant upcoming project milestones. Following the effective date of this section, a list of newly executed contracts, their purpose, and amounts shall be added to the monthly update.

(4) The department and OSI, in coordination with CWDA and the Department of Technology, shall convene a regularly scheduled quarterly forum to provide project updates to stakeholders and legislative staff. These forums shall include updates on (A) the progress of the CWS-NS development and implementation, (B) expenditures incurred to date, (C) significant issues and risks overcome in the last quarter and significant issues and risks presently being addressed, (D) upcoming project milestones and

1 *significant events, (E) how the agile approach has affected the*
2 *project's overall cost and schedule, (F) how the Department of*
3 *Technology's approval and oversight processes are being applied*
4 *to the agile implementation approach, and (G) how lessons learned*
5 *from the agile implementation of the CWS-NS project can be*
6 *leveraged by other state IT projects.*

7 *(c) The existing Child Welfare Services Case Management*
8 *System (CWS/CMS) operations and functionality shall be*
9 *maintained at a level at least commensurate with its December*
10 *2015 status and shall not be decommissioned prior to the full*
11 *statewide implementation of the CWS-NS in all counties. Full*
12 *statewide implementation is defined as after all existing CWS/CMS*
13 *functionality has been replaced in CWS-NS and has been*
14 *implemented in all 58 counties for a minimum of six months with*
15 *no significant (noncosmetic) defects outstanding.*

16 *SEC. 27. Section 16519.5 of the Welfare and Institutions Code*
17 *is amended to read:*

18 16519.5. (a) The State Department of Social Services, in
19 consultation with county child welfare agencies, foster parent
20 associations, and other interested community parties, shall
21 implement a unified, family friendly, and child-centered resource
22 family approval process to replace the existing multiple processes
23 for licensing foster family homes, approving relatives and
24 nonrelative extended family members as foster care providers, and
25 approving adoptive families.

26 (b) (1) Counties shall be selected to participate on a voluntary
27 basis as early implementation counties for the purpose of
28 participating in the initial development of the approval process.
29 Early implementation counties shall be selected according to
30 criteria developed by the department in consultation with the
31 County Welfare Directors Association. In selecting the five early
32 implementation counties, the department shall promote diversity
33 among the participating counties in terms of size and geographic
34 location.

35 (2) Additional counties may participate in the early
36 implementation of the program upon authorization by the
37 department.

38 (c) (1) For the purposes of this chapter, "resource family" means
39 an individual or couple that a participating county or foster family
40 agency, as defined in subdivision (g) of Section 11400 of this code,

1 and paragraph (4) of subdivision (a) of Section 1502 of the Health
2 and Safety Code, determines to have successfully met both the
3 home environment assessment standards and the permanency
4 assessment criteria adopted pursuant to subdivision (d) necessary
5 for providing care for a related or unrelated child who is under the
6 jurisdiction of the juvenile court, or otherwise in the care of a
7 county child welfare agency or probation department. A resource
8 family shall demonstrate all of the following:

9 (A) An understanding of the safety, permanence, and well-being
10 needs of children who have been victims of child abuse and neglect,
11 and the capacity and willingness to meet those needs, including
12 the need for protection, and the willingness to make use of support
13 resources offered by the agency, or a support structure in place,
14 or both.

15 (B) An understanding of children's needs and development,
16 effective parenting skills or knowledge about parenting, and the
17 capacity to act as a reasonable, prudent parent in day-to-day
18 decisionmaking.

19 (C) An understanding of his or her role as a resource family and
20 the capacity to work cooperatively with the agency and other
21 service providers in implementing the child's case plan.

22 (D) The financial ability within the household to ensure the
23 stability and financial security of the family.

24 (E) An ability and willingness to provide a family setting that
25 promotes normal childhood experiences that serves the needs of
26 the child.

27 (2) Subsequent to meeting the criteria set forth in this
28 subdivision and designation as a resource family, a resource family
29 shall be considered eligible to provide foster care for related and
30 unrelated children in out-of-home placement, shall be considered
31 approved for adoption or guardianship, and shall not have to
32 undergo any additional approval or licensure as long as the family
33 lives in a county participating in the program.

34 (3) Resource family approval means that the applicant
35 successfully meets the home environment assessment and
36 permanency assessment standards. This approval is in lieu of the
37 existing foster care license, relative or nonrelative extended family
38 member approval, and the adoption home study approval.

39 (4) Approval of a resource family does not guarantee an initial
40 or continued placement of a child with a resource family.

(5) Notwithstanding paragraphs (1) to (4), inclusive, the department or county may cease any further review of an application if the applicant has had a previous application denial within the preceding year, or if the applicant has had a previous rescission, revocation, or exemption denial or rescission by the department or county within the preceding two years. However, the department or county may continue to review an application if it has determined that the reasons for the previous denial, rescission, or revocation were due to circumstances and conditions that either have been corrected or are no longer in existence. If an individual was excluded from a resource family home or facility licensed by the department, the department or county shall cease review of the individual's application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code. The cessation of review shall not constitute a denial of the application for purposes of this section or any other law.

(d) Prior to implementation of this program, the department shall adopt standards pertaining to the home environment and permanency assessments of a resource family.

(1) Resource family home environment assessment standards shall include, but not be limited to, all of the following:

(A) (i) Criminal records clearance of all adults residing in, or regularly present in, the home, and not exempted from fingerprinting, as set forth in subdivision (b) of Section 1522 of the Health and Safety Code, pursuant to Section 8712 of the Family Code, utilizing a check of the Child Abuse Central Index (CACI), and receipt of a fingerprint-based state and federal criminal offender record information search response. The criminal history information shall include subsequent notifications pursuant to Section 11105.2 of the Penal Code.

(ii) Consideration of any substantiated allegations of child abuse or neglect against either the applicant or any other adult residing in the home. An approval may not be granted to applicants whose criminal record indicates a conviction for any of the offenses specified in subdivision (g) of Section 1522 of the Health and Safety Code.

(iii) If the resource family parent, applicant, or any other person specified in subdivision (b) of Section 1522 of the Health and Safety Code has been convicted of a crime other than a minor

1 traffic violation, except for the civil penalty language, the criminal
2 background check provisions specified in subdivisions (d) through
3 (f) of Section 1522 of the Health and Safety Code shall apply.
4 Exemptions from the criminal records clearance requirements set
5 forth in this section may be granted by the director or the early
6 implementation county, if that county has been granted permission
7 by the director to issue criminal records exemptions pursuant to
8 Section 361.4, using the exemption criteria currently used for foster
9 care licensing as specified in subdivision (g) of Section 1522 of
10 the Health and Safety Code.

11 (iv) For public foster family agencies approving resource
12 families, the criminal records clearance process set forth in clause
13 (i) shall be utilized.

14 (v) For private foster family agencies approving resource
15 families, the criminal records clearance process set forth in clause
16 (i) shall be utilized, but the Department of Justice shall disseminate
17 a fitness determination resulting from the federal criminal offender
18 record information search.

19 (B) Buildings and grounds and storage requirements set forth
20 in Sections 89387 and 89387.2 of Title 22 of the California Code
21 of Regulations.

22 (C) In addition to the foregoing requirements, the resource
23 family home environment assessment standards shall also require
24 the following:

25 (i) That the applicant—~~demonstrate~~ *demonstrates* an
26 understanding about the rights of children in care and his or her
27 responsibility to safeguard those rights.

28 (ii) That the total number of children residing in the home of a
29 resource family shall be no more than the total number of children
30 the resource family can properly care for, regardless of status, and
31 shall not exceed six children, unless exceptional circumstances
32 that are documented in the foster child's case file exist to permit
33 a resource family to care for more children, including, but not
34 limited to, the need to place siblings together.

35 (iii) That the applicant understands his or her responsibilities
36 with respect to acting as a reasonable and prudent parent, and
37 maintaining the least restrictive environment that serves the needs
38 of the child.

39 (2) The resource family permanency assessment standards shall
40 include, but not be limited to, all of the following:

- 1 (A) The applicant shall complete caregiver training.
- 2 (B) (i) The applicant shall complete a psychosocial assessment,
3 which shall include the results of a risk assessment.
- 4 (ii) A caregiver risk assessment shall include, but shall not be
5 limited to, physical and mental health, alcohol and other substance
6 use and abuse, family and domestic violence, and the factors listed
7 in subparagraphs (A) and (D) of paragraph (1) of subdivision (c).
- 8 (C) The applicant shall complete any other activities that relate
9 to a resource family's ability to achieve permanency with the child.
- 10 (e) (1) A child may be placed with a resource family that has
11 successfully completed the home environment assessment prior
12 to completion of a permanency assessment only if a compelling
13 reason for the placement exists based on the needs of the child.
- 14 (2) The permanency assessment shall be completed within 90
15 days of the child's placement in the home, unless good cause exists
16 based upon the needs of the child.
- 17 (3) If additional time is needed to complete the permanency
18 assessment, the county shall document the extenuating
19 circumstances for the delay and generate a timeframe for the
20 completion of the permanency assessment.
- 21 (4) The county shall report to the department on a quarterly
22 basis the number of families with a child in an approved home
23 whose permanency assessment goes beyond 90 days and
24 summarize the reasons for these delays.
- 25 (5) A child may be placed with a relative, as defined in Section
26 319, or nonrelative extended family member, as defined in Section
27 362.7, prior to applying as a resource family only on an emergency
28 basis if all of the following requirements are met:
- 29 (A) Consideration of the results of a criminal records check
30 conducted pursuant to Section 16504.5 of the relative or nonrelative
31 extended family member and of every other adult in the home.
- 32 (B) Consideration of the results of the Child Abuse Central
33 Index (CACI) consistent with Section 1522.1 of the Health and
34 Safety Code of the relative or nonrelative extended family member,
35 and of every other adult in the home.
- 36 (C) The home and grounds are free of conditions that pose undue
37 risk to the health and safety of the child.
- 38 (D) For any placement made pursuant to this paragraph, the
39 county shall initiate the home environment assessment no later

1 than five business days after the placement, which shall include a
2 face-to-face interview with the resource family applicant and child.

3 (E) For any placement made pursuant to this paragraph,
4 AFDC-FC funding shall not be available until approval of the
5 resource family has been completed.

6 (F) Any child placed under this section shall be afforded all the
7 rights set forth in Section 16001.9.

8 (f) The State Department of Social Services shall be responsible
9 for all of the following:

10 (1) Selecting early implementation counties, based on criteria
11 established by the department in consultation with the County
12 Welfare Directors Association.

13 (2) Establishing timeframes for participating counties to submit
14 an implementation plan, enter into terms and conditions for
15 participation in the program, train appropriate staff, and accept
16 applications from resource families.

17 (3) Entering into terms and conditions for participation in the
18 program by counties.

19 (4) Administering the program through the issuance of written
20 directives that shall have the same force and effect as regulations.
21 Any directive affecting Article 1 (commencing with Section 700)
22 of Chapter 7 of Title 11 of the California Code of Regulations shall
23 be approved by the Department of Justice. The directives shall be
24 exempt from the rulemaking provisions of the Administrative
25 Procedure Act (Chapter 3.5 (commencing with Section 11340))
26 of Part 1 of Division 3 of Title 2 of the Government Code.

27 (5) Approving and requiring the use of a single standard for
28 resource family approval.

29 (6) Adopting and requiring the use of standardized
30 documentation for the home environment and permanency
31 assessments of resource families.

32 (7) Requiring counties to monitor resource families including,
33 but not limited to, all of the following:

34 (A) Investigating complaints of resource families.

35 (B) Developing and monitoring resource family corrective action
36 plans to correct identified deficiencies and to rescind resource
37 family approval if compliance with corrective action plans is not
38 achieved.

39 (8) Ongoing oversight and monitoring of county systems and
40 operations including all of the following:

1 (A) Reviewing the county's implementation of the program.

2 (B) Reviewing an adequate number of approved resource
3 families in each participating county to ensure that approval
4 standards are being properly applied. The review shall include
5 case file documentation, and may include onsite inspection of
6 individual resource families. The review shall occur on an annual
7 basis, and more frequently if the department becomes aware that
8 a participating county is experiencing a disproportionate number
9 of complaints against individual resource family homes.

10 (C) Reviewing county reports of serious complaints and
11 incidents involving approved resource families, as determined
12 necessary by the department. The department may conduct an
13 independent review of the complaint or incident and change the
14 findings depending on the results of its investigation.

15 (D) Investigating unresolved complaints against participating
16 counties.

17 (E) Requiring corrective action of counties that are not in full
18 compliance with the terms and conditions of the program.

19 (9) Updating the Legislature on the early implementation phase
20 of the program, including the status of implementation, successes,
21 and challenges during the early implementation phase, and relevant
22 available data, including resource family satisfaction.

23 (10) Implementing due process procedures, including all of the
24 following:

25 (A) Providing a statewide fair hearing process for denials,
26 rescissions, or exclusion actions.

27 (B) Amending the department's applicable state hearing
28 procedures and regulations or using the Administrative Procedure
29 Act, when applicable, as necessary for the administration of the
30 program.

31 (g) Counties participating in the program shall be responsible
32 for all of the following:

33 (1) Submitting an implementation plan, entering into terms and
34 conditions for participation in the program, consulting with the
35 county probation department in the development of the
36 implementation plan, training appropriate staff, and accepting
37 applications from resource families within the timeframes
38 established by the department.

39 (2) Complying with the written directives pursuant to paragraph
40 (4) of subdivision (f).

1 (3) Implementing the requirements for resource family approval
2 and utilizing standardized documentation established by the
3 department.

4 (4) Ensuring staff have the education and experience necessary
5 to complete the home environment and psychosocial assessments
6 competently.

7 (5) (A) Taking the following actions, as applicable:

8 (i) Approving or denying resource family applications.

9 (ii) Rescinding approvals of resource families.

10 (iii) Excluding a resource family parent or other individual from
11 presence in a resource family home, consistent with the established
12 standard.

13 (iv) Issuing a temporary suspension order that suspends the
14 resource family approval prior to a hearing when urgent action is
15 needed to protect a child or nonminor dependent from physical or
16 mental abuse, abandonment, or any other substantial threat to
17 health or safety, consistent with the established standard.

18 (B) Providing a resource family parent, applicant, or excluded
19 individual requesting review of that decision with due process
20 pursuant to the department's statutes, regulations, and written
21 directives.

22 (C) Notifying the department of any decisions denying a
23 resource family's application or rescinding the approval of a
24 resource family, excluding an individual, or taking other
25 administrative action.

26 (D) Issuing a temporary suspension order that suspends the
27 resource family approval prior to a hearing, when urgent action is
28 needed to protect a child or nonminor dependent who is or may
29 be placed in the home from physical or mental abuse, abandonment,
30 or any other substantial threat to health or safety.

31 (6) Updating resource family approval annually.

32 (7) Monitoring resource families through all of the following:

33 (A) Ensuring that social workers who identify a condition in
34 the home that may not meet the approval standards set forth in
35 subdivision (d) while in the course of a routine visit to children
36 placed with a resource family take appropriate action as needed.

37 (B) Requiring resource families to comply with corrective action
38 plans as necessary to correct identified deficiencies. If corrective
39 action is not completed as specified in the plan, the county may
40 rescind the resource family approval.

1 (C) Requiring resource families to report to the county child
2 welfare agency any incidents consistent with the reporting
3 requirements for licensed foster family homes.

4 (8) Investigating all complaints against a resource family and
5 taking action as necessary. This shall include investigating any
6 incidents reported about a resource family indicating that the
7 approval standard is not being maintained.

8 (A) The child's social worker shall not conduct the formal
9 investigation into the complaint received concerning a family
10 providing services under the standards required by subdivision
11 (d). To the extent that adequate resources are available, complaints
12 shall be investigated by a worker who did not initially conduct the
13 home environment or psychosocial assessments.

14 (B) Upon conclusion of the complaint investigation, the final
15 disposition shall be reviewed and approved by a supervising staff
16 member.

17 (C) The department shall be notified of any serious incidents
18 or serious complaints or any incident that falls within the definition
19 of Section 11165.5 of the Penal Code. If those incidents or
20 complaints result in an investigation, the department shall also be
21 notified as to the status and disposition of that investigation.

22 (9) Performing corrective action as required by the department.

23 (10) Assessing county performance in related areas of the
24 California Child and Family Services Review System, and
25 remediating problems identified.

26 (11) Submitting information and data that the department
27 determines is necessary to study, monitor, and prepare the report
28 specified in paragraph (9) of subdivision (f).

29 (12) Ensuring resource family applicants and resource families
30 have the necessary knowledge, skills, and abilities to support
31 children in foster care by completing caregiver training. The
32 training should include a curriculum that supports the role of a
33 resource family in parenting vulnerable children and should be
34 ongoing in order to provide resource families with information on
35 trauma-informed practices and requirements and other topics within
36 the foster care system.

37 (13) Ensuring that a resource family applicant completes a
38 minimum of 12 hours of preapproval training. The training shall
39 include, but not be limited to, all of the following courses:

40 (A) An overview of the child protective and probation systems.

1 (B) The effects of trauma, including grief and loss, and child
2 abuse and neglect, on child development and behavior, and
3 methods to behaviorally support children impacted by that trauma
4 or child abuse and neglect.

5 (C) Positive discipline and the importance of self-esteem.

6 (D) Health issues in foster care.

7 (E) Accessing services and supports to address education needs,
8 physical, mental, and behavioral health, and substance use
9 disorders, including culturally relevant services.

10 (F) The rights of a child in foster care, and the resource family's
11 responsibility to safeguard those rights, including the right to have
12 fair and equal access to all available services, placement, care,
13 treatment, and benefits, and to not be subjected to discrimination
14 or harassment on the basis of actual or perceived race, ethnic group
15 identification, ancestry, national origin, color, religion, sex, sexual
16 orientation, gender identity, mental or physical disability, or HIV
17 status.

18 (G) Cultural needs of children, including instruction on cultural
19 competency and sensitivity, and related best practices for providing
20 adequate care for children or youth across diverse ethnic and racial
21 backgrounds, as well as children or youth identifying as lesbian,
22 gay, bisexual, or transgender.

23 (H) Basic instruction on existing laws and procedures regarding
24 the safety of foster youth at school; and ensuring a harassment and
25 violence free school environment pursuant to Article 3.6
26 (commencing with Section 32228) of Chapter 2 of Part 19 of
27 Division 1 of Title 1 of the Education Code.

28 (I) Permanence, well-being, and education needs of children.

29 (J) Child and adolescent development, including sexual
30 orientation, gender identity, and expression.

31 (K) The role of resource families, including working
32 cooperatively with the child welfare or probation agency, the
33 child's family, and other service providers implementing the case
34 plan.

35 (L) The role of a resource family on the child and family team
36 as defined in paragraph (4) of subdivision (a) of Section 16501.

37 (M) A resource family's responsibility to act as a reasonable
38 and prudent parent, and to provide a family setting that promotes
39 normal childhood experiences and that serves the needs of the
40 child.

1 (N) An overview of the specialized training identified in
2 subdivision (h).

3 (14) Ensuring approved resource families complete a minimum
4 of eight training hours annually, a portion of which shall be from
5 one or more of the topics listed in paragraph (13).

6 (h) In addition to any training required by this section, a resource
7 family may be required to receive specialized training, as relevant,
8 for the purpose of preparing the resource family to meet the needs
9 of a particular child in care. This training may include, but is not
10 limited to, the following:

11 (1) Understanding how to use best practices for providing care
12 and supervision to commercially sexually exploited children.

13 (2) Understanding how to use best practices for providing care
14 and supervision to lesbian, gay, bisexual, and transgender children.

15 (3) Understanding the requirements and best practices regarding
16 psychotropic medications, including, but not limited to, court
17 authorization, benefits, uses, side effects, interactions, assistance
18 with self-administration, misuse, documentation, storage, and
19 metabolic monitoring of children prescribed psychotropic
20 medications.

21 (4) Understanding the federal Indian Child Welfare Act (25
22 U.S.C. Sec. 1901 et seq.), its historical significance, the rights of
23 children covered by the act, and the best interests of Indian
24 children, including the role of the caregiver in supporting culturally
25 appropriate, child-centered practices that respect Native American
26 history, culture, retention of tribal membership and connection to
27 the tribal community and traditions.

28 (5) Understanding how to use best practices for providing care
29 and supervision to nonminor dependents.

30 (6) Understanding how to use best practices for providing care
31 and supervision to children with special health care needs.

32 (7) Understanding the different permanency options and the
33 services and benefits associated with the options.

34 (i) Nothing in this section shall preclude a county or a foster
35 family agency from requiring resource family training in excess
36 of the requirements in this section.

37 (j) (1) Approved relatives and nonrelative extended family
38 members, licensed foster family homes, or approved adoptive
39 homes that have completed the license or approval process prior
40 to full implementation of the program shall not be considered part

1 of the program. The otherwise applicable assessment and oversight
2 processes shall continue to be administered for families and
3 facilities not included in the program.

4 (2) Upon implementation of the program in a county, that county
5 may not accept new applications for the licensure of foster family
6 homes, the approval of relative and nonrelative extended family
7 members, or the approval of prospective adoptive homes.

8 (k) The department may waive regulations that pose a barrier
9 to implementation and operation of this program. The waiver of
10 any regulations by the department pursuant to this section shall
11 apply to only those counties or foster family agencies participating
12 in the program and only for the duration of the program.

13 (l) Resource families approved under initial implementation of
14 the program, who move within an early implementation county or
15 who move to another early implementation county, shall retain
16 their resource family status if the new building and grounds,
17 outdoor activity areas, and storage areas meet home environment
18 standards. The State Department of Social Services or early
19 implementation county may allow a program-affiliated individual
20 to transfer his or her subsequent arrest notification if the individual
21 moves from one early implementation county to another early
22 implementation county, as specified in subdivision (g) of Section
23 1522 of the Health and Safety Code.

24 (m) (1) The approval of a resource family who moves to a
25 nonparticipating county remains in full force and effect pending
26 a determination by the county approval agency or the department,
27 as appropriate, whether the new building and grounds and storage
28 areas meet applicable standards, and whether all adults residing
29 in the home have a criminal records clearance or exemptions
30 granted, using the exemption criteria used for foster care licensing,
31 as specified in subdivision (g) of Section 1522 of the Health and
32 Safety Code. Upon this determination, the nonparticipating county
33 shall either approve the family as a relative or nonrelative extended
34 family member, as applicable, or the department shall license the
35 family as a foster family home.

36 (2) Subject to the requirements in paragraph (1), the family shall
37 continue to be approved for guardianship and adoption. Nothing
38 in this subdivision shall limit a county or adoption agency from
39 determining that the family is not approved for guardianship or

1 adoption based on changes in the family's circumstances or
2 psychosocial assessment.

3 (3) A program-affiliated individual who moves to a
4 nonparticipating county may not transfer his or her subsequent
5 arrest notification from a participating county to the
6 nonparticipating county.

7 (n) Implementation of the program shall be contingent upon the
8 continued availability of federal Social Security Act Title IV-E
9 (42 U.S.C. Sec. 670) funds for costs associated with placement of
10 children with resource families assessed and approved under the
11 program.

12 (o) *A child placed with a resource family is eligible for the*
13 *resource family basic rate, pursuant to Sections 11253.45, 11460,*
14 *11461, and 11463, and subdivision (l) of Section 11461.3, at the*
15 *child's assessed level of care.*

16 ~~(o) A child placed with a resource family shall be eligible for~~
17 ~~AFDC-FC payments. A resource family, or a foster family agency~~
18 ~~pursuant to subdivisions (s) and (t), shall be paid an AFDC-FC~~
19 ~~rate pursuant to Sections 11460, 11461, and 11463. Sharing~~

20 (p) *Sharing* ratios for nonfederal expenditures for all costs
21 associated with activities related to the approval of relatives and
22 nonrelative extended family members shall be in accordance with
23 Section 10101.

24 ~~(p)~~

25 (q) The Department of Justice shall charge fees sufficient to
26 cover the cost of initial or subsequent criminal offender record
27 information and Child Abuse Central Index searches, processing,
28 or responses, as specified in this section.

29 ~~(q)~~

30 (r) Except as provided, approved resource families under this
31 program shall be exempt from all of the following:

32 (1) Licensure requirements set forth under the Community Care
33 Facilities Act, commencing with Section 1500 of the Health and
34 Safety Code, and all regulations promulgated thereto.

35 (2) Relative and nonrelative extended family member approval
36 requirements set forth under Sections 309, 361.4, and 362.7, and
37 all regulations promulgated thereto.

38 (3) Adoptions approval and reporting requirements set forth
39 under Section 8712 of the Family Code, and all regulations
40 promulgated thereto.

1 ~~(t)~~

2 (s) (1) Early implementation counties shall be authorized to
3 continue through December 31, 2016. The program shall be
4 implemented by each county on or before January 1, 2017.

5 (2) No later than July 1, 2017, each county shall provide the
6 following information to all licensed foster family homes and all
7 approved relatives and nonrelative extended family members:

8 (A) A detailed description of the resource family approval
9 program.

10 (B) Notification that, in order to care for a foster child, resource
11 family approval is required by December 31, 2019.

12 (C) Notification that a foster family home license and an
13 approval of a relative or nonrelative extended family member shall
14 be forfeited by operation of law as provided for in paragraph (4).

15 (3) By no later than January 1, 2018, the following shall apply
16 to all licensed foster family homes and approved relative and
17 nonrelative extended family members:

18 (A) A licensed foster family home, and an approved relative or
19 nonrelative extended family member with an approved adoptive
20 home study completed prior to January 1, 2018, shall be deemed
21 to be an approved resource family.

22 (B) A licensed foster family home, and an approved relative or
23 nonrelative extended family member who had a child in placement
24 at any time, for any length of time, between January 1, 2017, and
25 December 31, 2017, inclusive, may be approved as a resource
26 family on the date of successful completion of a psychosocial
27 assessment pursuant to subparagraph (B) of paragraph (2) of
28 subdivision (d).

29 (C) A county may provide supportive services to all licensed
30 foster family home providers, relatives, and nonrelative extended
31 family members with a child in placement to assist with the
32 resource family transition and to minimize placement disruptions.

33 (4) All foster family licenses and approvals of a relative or
34 nonrelative extended family member shall be forfeited by operation
35 of law on December 31, 2019, except as provided in this paragraph:

36 (A) All licensed foster family homes that did not have a child
37 in placement at any time, for any length of time, between January
38 1, 2017, and December 31, 2017, inclusive, shall forfeit the license
39 by operation of law on January 1, 2018.

(B) For foster family home licensees and approved relatives or nonrelative extended family members who have a pending resource family application on December 31, 2019, the foster family home license or relative and nonrelative extended family member approval shall be forfeited by operation of law on the date of approval as a resource family. If approval is denied, forfeiture by operation of law shall occur on the date of completion of any proceedings required by law to ensure due process.

(s)

(t) On and after January 1, 2017, all licensed foster family agencies shall approve resource families in lieu of certifying foster homes. A foster family agency or a short-term residential treatment center pursuant to subdivision (b) of Section 11462 shall require applicants and resource families to meet the resource family approval standards and requirements set forth in this chapter and in the written directives adopted pursuant to this chapter prior to approval and in order to maintain approval.

(t)

(u) Commencing January 1, 2016, the department may establish participation conditions, and select and authorize foster family agencies that voluntarily submit implementation plans and revised plans of operation in accordance with requirements established by the department, to approve resource families in lieu of certifying foster homes.

(1) Notwithstanding any other law, a participating foster family agency shall require resource families to meet and maintain the resource family approval standards and requirements set forth in this chapter and in the written directives adopted hereto prior to approval and in order to maintain approval.

(2) A participating foster family agency shall implement the resource family approval program pursuant to Section 1517 of the Health and Safety Code.

(3) Nothing in this section shall be construed to limit the authority of the department to inspect, evaluate, or investigate a complaint or incident, or initiate a disciplinary action against a foster family agency pursuant to Article 5 (commencing with Section 1550) of Chapter 3 of Division 2 of the Health and Safety Code, or to take any action it may deem necessary for the health and safety of children placed with the foster family agency.

(4) The department may adjust the foster family agency AFDC-FC rate pursuant to Section 11463 for implementation of this subdivision.

SEC. 28. Article 6 (commencing with Section 16523) is added to Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions Code, to read:

Article 6. Bringing Families Home Program

16523. For purposes of this article, the following definitions shall apply:

(a) "Child welfare services" has the same meaning as defined in Section 16501.

(b) "Department" means the State Department of Social Services.

(c) "Eligible family" means any individual or family that, at a minimum, meets all of the following conditions:

(1) Receives child welfare services at the time eligibility is determined.

(2) Is homeless.

(3) Voluntarily agrees to participate in the program.

(4) Either of the following:

(A) Has been determined appropriate for reunification of a child to a biological parent or guardian by the county human services agency handling the case, the court with jurisdiction over the child, or both.

(B) A child or children in the family is or are at risk of foster care placement, and the county human services agency determines that safe and stable housing for the family will prevent the need for the child's or children's removal from the parent or guardian.

(d) "Homeless" means any of the following:

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence.

(2) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including, but not limited to, a car, park, abandoned building, bus station, train station, airport, or camping ground.

(3) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living

1 arrangements, including hotels or motels paid for by federal, state,
2 or local government programs for low-income individuals or by
3 charitable organizations, congregate shelters, or transitional
4 housing.

5 (4) An individual who resided in a shelter or place not meant
6 for human habitation and who is exiting an institution where he
7 or she temporarily resided.

8 (5) An individual or family who will imminently lose their
9 housing, including, but not limited to, housing they own, rent, or
10 live in without paying rent, are sharing with others, or rooms in
11 hotels or motels not paid for by federal, state, or local government
12 programs for low-income individuals or by charitable
13 organizations, as evidenced by any of the following:

14 (A) A court order resulting from an eviction action that notifies
15 the individual or family that they must leave within 14 days.

16 (B) The individual or family having a primary nighttime
17 residence that is a room in a hotel or motel and where they lack
18 the resources necessary to reside there for more than 14 days.

19 (C) Credible evidence indicating that the owner or renter of the
20 housing will not allow the individual or family to stay for more
21 than 14 days, and any oral statement from an individual or family
22 seeking homeless assistance that is found to be credible shall be
23 considered credible evidence for purposes of this clause.

24 (6) An individual or family who has no subsequent residence
25 identified.

26 (7) An individual or family who lacks the resources or support
27 networks needed to obtain other permanent housing.

28 (8) Unaccompanied youth and homeless families with children
29 and youth defined as homeless under any other federal statute, as
30 of the effective date of this program, who meet all of the following:

31 (A) Have experienced a long-term period without living
32 independently in permanent housing.

33 (B) Have experienced persistent instability as measured by
34 frequent moves over that long-term period.

35 (C) Can be expected to continue in that status for an extended
36 period of time because of chronic disabilities, chronic physical
37 health or mental health conditions, substance addiction, histories
38 of domestic violence or childhood abuse, the presence of a child
39 or youth with a disability, or multiple barriers to employment.

1 (e) “Homelessness” means the status of being homeless, as
2 defined in subdivision (d).

3 (f) “Permanent housing” means a place to live without a limit
4 on the length of stay in the housing that exceeds the duration of
5 funding for the program, subject to landlord-tenant laws pursuant
6 to Chapter 2 (commencing with Section 1940) of Title 5 of Part 4
7 of Division 3 of the Civil Code.

8 (g) “Program” means the Bringing Families Home Program
9 established pursuant to this article.

10 (h) “Supportive housing” has the same meaning as defined in
11 paragraph (2) of subdivision (b) of Section 50675.14 of the Health
12 and Safety Code, except that the program is not restricted to
13 serving only projects with five or more units.

14 16523.1. (a) To the extent funds are appropriated in the annual
15 Budget Act, the department shall award program funds to counties
16 for the purpose of providing housing-related supports to eligible
17 families experiencing homelessness if that homelessness prevents
18 reunification between an eligible family and a child receiving child
19 welfare services, or where lack of housing prevents a parent or
20 guardian from addressing issues that could lead to foster care
21 placement.

22 (b) Notwithstanding subdivision (a), this section does not create
23 an entitlement to housing-related assistance, which is intended to
24 be provided at the discretion of the county as a service to eligible
25 families.

26 (c) (1) It is the intent of the Legislature that housing-related
27 assistance provided pursuant to this article utilize evidence-based
28 models, including evidence-based practices in rapid rehousing
29 and supportive housing.

30 (2) Housing-related supports available to participating families
31 shall include, but not be limited to, all of the following:

32 (A) An assessment of each family’s housing needs, including a
33 plan to assist them in meeting those needs.

34 (B) Housing navigation or search assistance to recruit
35 landlords, and assist families in locating housing affordable to
36 the family, under a presumption that the family will pay no more
37 than one-third of their income in rent.

38 (C) The use of evidence-based models, such as motivational
39 interviewing and trauma-informed care, to build relationships
40 with a parent or guardian.

1 (D) *Housing-related financial assistance, including rental*
2 *assistance, security deposit assistance, utility payments, moving*
3 *cost assistance, and interim housing assistance while housing*
4 *navigators are actively seeking permanent housing options for the*
5 *family.*

6 (E) *Housing stabilization services, including ongoing tenant*
7 *engagement, case management, public systems assistance, legal*
8 *services, credit repair assistance, life skills training, and conflict*
9 *mediation with landlords and neighbors.*

10 (F) *If the family requires supportive housing, long-term services*
11 *promoting housing stability.*

12 (d) *The department shall award program funds to counties*
13 *according to criteria developed by the department, in consultation*
14 *with the County Welfare Directors Association, the Corporation*
15 *for Supportive Housing, and Housing California, subject to both*
16 *of the following requirements:*

17 (1) *A county that receives state funds under this program shall*
18 *match that funding on a dollar-by-dollar basis. The county funds*
19 *used for this purpose shall supplement, not supplant, county*
20 *funding already intended for these purposes.*

21 (2) *A county that receives state funds under this program shall*
22 *have a local continuum of care that participates in a homeless*
23 *services coordinated entry and assessment system, as required by*
24 *the United States Department of Housing and Urban Development.*

25 (e) *The department, in consultation with Housing California,*
26 *the Corporation for Supportive Housing, and the County Welfare*
27 *Directors Association of California, shall develop all of the*
28 *following:*

29 (1) *The criteria by which counties may be awarded funds to*
30 *provide housing-related assistance to eligible families pursuant*
31 *to this article.*

32 (2) *The proportion of program funding to be expended on*
33 *reasonable and appropriate administrative activities to minimize*
34 *overhead and maximize services.*

35 (3) *Eligible sources of funds for a county's matching*
36 *contribution.*

37 (4) *Tracking and reporting procedures for the program.*

38 (5) *A process for evaluating program data.*

39 SEC. 29. *Section 17601.50 of the Welfare and Institutions Code*
40 *is amended to read:*

17601.50. The moneys in the Child Poverty and Family Supplemental Support Subaccount shall be allocated to the family support account in the local health and welfare trust fund in each county and city and county by the Controller pursuant to a schedule prepared by the Department of Finance. All funds allocated shall be attributable to the payment of ~~grant increases~~ *increased aid payments*, as authorized by Section 11450.025. Funds that are not allocated in a fiscal year, shall be available for allocation in the following fiscal year.

SEC. 30. Section 18910.1 of the Welfare and Institutions Code is amended to read:

18910.1. ~~It is the intent of the Legislature that all~~ All CalFresh households shall be assigned certification periods that are the maximum number of months allowable under federal law ~~based on the household's circumstances~~, *for the household type unless a county is complying with subdivision (b) of Section 18910.18910.18910 or, on a case-by-case basis only, the household's individual circumstances require a shorter certification period.*

SEC. 31. Section 18920 is added to the Welfare and Institutions Code, to read:

18920. (a) Notwithstanding any other law, an agreement between the department and a unit of local government, any other unit of state government, or a nonprofit organization that provides for a contract relating to either of the following is and shall be deemed a "cooperative agreement," as defined in subdivision (a) of Section 38072 of the Health and Safety Code:

(1) Outreach programs related to CalFresh.

(2) The Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant Program.

(b) Notwithstanding subdivision (b) of Section 38072 of the Health and Safety Code, for purposes of Chapter 1 (commencing with Section 38070) of Division 25.2 of the Health and Safety Code, any reference to the term "department" in those provisions shall refer to the State Department of Social Services for purposes of an agreement described in subdivision (a).

(c) In addition to the authority granted the department in subdivision (a) of Section 38081.1 of the Health and Safety Code, a change of subcontracts shall not be subject to review and approval by the Department of General Services pursuant to

1 Chapter 2 (commencing with Section 10290) of Part 2 of Division
2 2 of the Public Contract Code.

3 (d) The Legislature finds and declares that this section shall be
4 applied retroactively to currently executed agreements that are
5 described in subdivision (a).

6 SEC. 32. Chapter 17 (commencing with Section 18999) is
7 added to Part 6 of Division 9 of the Welfare and Institutions Code,
8 to read:

9

10 CHAPTER 17. HOUSING AND DISABILITY INCOME ADVOCACY
11 PROGRAM
12

13 18999. In enacting this chapter, it is the intent of the
14 Legislature to establish, for the 2016–17 fiscal year, the Housing
15 and Disability Income Advocacy Program under which counties
16 assist homeless Californians with disabilities to increase
17 participation among individuals who may be eligible for disability
18 benefits programs, including the Supplemental Security
19 Income/State Supplementary Program for the Aged, Blind, and
20 Disabled (SSI/SSP), the federal Social Security Disability Insurance
21 (SSDI) program, the Cash Assistance Program for Immigrants,
22 and veterans benefits provided under federal law, including
23 disability compensation.

24 18999.1. (a) Subject to an appropriation of funds for this
25 purpose in the annual Budget Act, the State Department of Social
26 Services shall administer the Housing and Disability Income
27 Advocacy Program to provide state matching grant funds to
28 participating counties for the provision of outreach, case
29 management, and advocacy services and housing assistance to
30 individuals in need.

31 (b) Funds appropriated pursuant to this chapter shall be
32 awarded to counties by the department according to criteria
33 developed by the department, in consultation with the County
34 Welfare Directors Association of California and advocates for
35 clients, subject to the following restrictions:

36 (1) State funds appropriated pursuant to this chapter shall be
37 used only for the purposes specified in this chapter.

38 (2) A county that receives state funds under this chapter shall
39 match that funding on a dollar-for-dollar basis. The county

1 *matching funds used for this purpose shall supplement, and not*
2 *supplant, other county funding for these purposes.*

3 (3) *A county receiving state funds pursuant to this chapter shall,*
4 *at a minimum, maintain a level of county funding for the outreach,*
5 *active case management, advocacy, and housing assistance*
6 *services described in this chapter that is at least equal to the total*
7 *of the amounts expended by the county for those services in the*
8 *2015–16 fiscal year.*

9 (4) *As part of its application to receive state funds under this*
10 *chapter, a county shall identify how it will collaborate locally*
11 *among, at a minimum, the county departments that are responsible*
12 *for health, including behavioral health, and human or social*
13 *services in carrying out the activities required by this chapter.*
14 *This collaboration shall include, but is not limited to, the sharing*
15 *of information among these departments as necessary to carry out*
16 *the activities required by this chapter.*

17 18999.2. (a) (1) *A participating county shall provide, or*
18 *contract for, outreach, active case management, and advocacy*
19 *services related to all of the following programs, as appropriate:*

20 (A) *The Supplemental Security Income/State Supplementary*
21 *Program for the Aged, Blind, and Disabled (SSI/SSP).*

22 (B) *The federal Social Security Disability Insurance (SSDI)*
23 *program.*

24 (C) *The Cash Assistance Program for Immigrants.*

25 (D) *Veterans benefits provided under federal law, including,*
26 *but not limited to, disability compensation.*

27 (2) *The outreach and case management services required by*
28 *this subdivision shall include, but not be limited to, all of the*
29 *following:*

30 (A) *Receiving referrals.*

31 (B) *Conducting outreach, training, and technical assistance.*

32 (C) *Providing assessment and screening.*

33 (D) *Coordinating record retrieval and other necessary means*
34 *of documenting disability.*

35 (E) *Coordinating the provision of health care, including*
36 *behavioral health care, for clients, as appropriate.*

37 (3) *The advocacy services required by this subdivision, which*
38 *may be provided through legal representation, shall include, but*
39 *not be limited to, the following:*

1 (A) *Developing and filing competently prepared benefit*
2 *applications, appeals, reconsiderations, reinstatements, and*
3 *recertifications.*

4 (B) *Coordinating with federal and state offices regarding*
5 *pending benefit applications, appeals, reconsiderations,*
6 *reinstatements, and recertifications and advocating on behalf of*
7 *the client.*

8 (b) *A participating county shall use screening tools to identify*
9 *populations of individuals who are likely to be eligible for the*
10 *programs listed in subdivision (a), in accordance with the*
11 *following:*

12 (1) *The county shall give highest priority to individuals who*
13 *are chronically homeless or who rely the most heavily on state-*
14 *and county-funded services.*

15 (2) *Other populations to be targeted by the program include,*
16 *but are not limited to, the following:*

17 (A) *General assistance or general relief applicants or recipients*
18 *who are homeless or at risk of homelessness.*

19 (B) *Parents who receive CalWORKs assistance or whose*
20 *children receive assistance or children who are recipients of*
21 *CalWORKs in families that are homeless or at risk of homelessness.*

22 (C) *Low-income individuals with disabilities who can be diverted*
23 *from, or who are being discharged from, jails or prisons and who*
24 *are homeless or at risk of homelessness.*

25 (D) *Low-income veterans with disabilities who are homeless*
26 *or at risk of homelessness.*

27 (E) *Low-income individuals with disabilities who are being*
28 *discharged from hospitals, long-term care facilities, or*
29 *rehabilitation facilities and who are homeless or at risk of*
30 *homelessness.*

31 (c) (1) *As appropriate, a participating county may refer an*
32 *individual to workforce development programs who is not likely*
33 *to be eligible for the programs listed in subdivision (a) and who*
34 *may benefit from workforce development programs.*

35 (2) *In consultation with an individual who has been served by*
36 *the Housing and Disability Income Advocacy Program and*
37 *considering the circumstances of his or her disabilities, a*
38 *participating county may, upon approval or final denial of*
39 *disability benefits, refer an individual who may benefit from*
40 *workforce development programs to those programs.*

1 (3) *An individual's participation in a workforce development*
2 *program pursuant to this subdivision is voluntary.*

3 18999.4. (a) (1) *A participating county shall use funds*
4 *received under this program to establish or expand programs that*
5 *provide housing assistance, including interim housing, recuperative*
6 *care, rental subsidies, or, only when necessary, shelters, for clients*
7 *receiving services under Section 18999.2 during the clients'*
8 *application periods for disability benefits programs described in*
9 *that section. The county shall place a client who receives subsidies*
10 *in housing that the client can sustain without a subsidy upon*
11 *approval of disability benefits. If the client is not approved for*
12 *disability benefits, case management staff shall assist in developing*
13 *a transition plan for housing support through other available*
14 *resources.*

15 (2) *A client's participation in housing assistance programs or*
16 *services is voluntary.*

17 (b) *A county, with the assistance of the department, shall seek*
18 *reimbursement of funds used for housing assistance, general*
19 *assistance, or general relief from the federal Commissioner of*
20 *Social Security pursuant to an interim assistance reimbursement*
21 *agreement authorized by Section 1631(g) of the federal Social*
22 *Security Act. A county shall expend funds received as*
23 *reimbursement for housing assistance only on additional housing*
24 *assistance for clients receiving services under this chapter.*

25 18999.6. (a) *Each participating county shall annually report*
26 *to the department regarding its funding of advocacy and outreach*
27 *programs in the prior year, as well as the use of state funding*
28 *provided under this chapter, including all of the following:*

29 (1) *The number of clients served in each of the targeted*
30 *populations described in subdivision (b) of Section 18999.2 and*
31 *any other populations the county chose to target.*

32 (2) *The demographics of the clients served, including race or*
33 *ethnicity, age, and gender.*

34 (3) *The number of applications for benefits, and type of benefits,*
35 *filed with the assistance of the county.*

36 (4) *The number of applications approved initially, the number*
37 *approved after reconsideration, the number approved after appeal,*
38 *and the number not approved, including the time to benefits*
39 *establishment.*

40 (5) *For applications that were denied, the reasons for denial.*

1 (6) The number of clients who received subsidized housing
2 during the period that their applications were pending and a
3 description of how that impacted the clients and the rates of
4 completed applications or approval.

5 (7) The number of clients who received subsidized housing who
6 maintained that housing during the SSI application period.

7 (8) The percentage of individuals approved for SSI who retain
8 permanent housing 6, 12, and 24 months after benefits approval.

9 (9) The amount and percentage of rental subsidy costs and of
10 general assistance or general relief costs recovered through interim
11 assistance reimbursement for individuals approved for benefits.

12 (10) The number of individuals eligible to be served by this
13 program but who have not yet received services.

14 (11) Any additional data requirements established by the
15 department after consultation with the County Welfare Directors
16 Association of California and advocates for clients.

17 (b) The department shall periodically inform the Legislature of
18 the implementation progress of the program and make related
19 data available on its Internet Web site. The department shall also
20 report to the Legislature by October 1, 2018, in compliance with
21 Section 9795 of the Government Code, regarding the
22 implementation of the program, including the information reported
23 by participating counties pursuant to this section.

24 (c) Notwithstanding the rulemaking provisions of the
25 Administrative Procedures Act (Chapter 3.5 (commencing with
26 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
27 Code), the department may implement, interpret, or make specific
28 this chapter through all-county letters without taking any
29 regulatory action.

30 SEC. 33. (a) During the 2017 and 2018 legislative budget
31 hearings, the State Department of Social Services and the State
32 Department of Health Care Services shall update the legislative
33 budget committees on activities taken by the departments to
34 implement the Continuum of Care Reform (CCR) pursuant to AB
35 403 (Chapter 773, Statutes of 2015).

36 (b) The information required pursuant to subdivision (a) shall
37 include, but is not limited to, all of the following:

38 (1) The specialty mental health services provided to foster
39 children in short term residential treatment centers, by foster family
40 agencies, and by resource families.

1 (2) *The roles to be performed by the county mental health plans,*
2 *the Medi-Cal managed care plans, and the fee-for-service system*
3 *to coordinate mental health services being provided to foster youth*
4 *pursuant to subdivision (a).*

5 (3) *The actual or projected fiscal information related to the*
6 *implementation of CCR, as follows:*

7 (A) *Funding sources available to provide mental health services*
8 *to foster care children.*

9 (B) *The state, county, and federal funding estimated for the*
10 *2016–17 fiscal year to provide mental health services to foster*
11 *children who meet the medical necessity criteria for specialty*
12 *mental health services under the Medi-Cal program.*

13 SEC. 34. *No appropriation pursuant to Section 15201 of the*
14 *Welfare and Institutions Code shall be made for purposes of*
15 *implementing Section 20 of this act.*

16 SEC. 35. *The State Department of Social Services shall convene*
17 *stakeholders, including county placing agencies, providers, foster*
18 *youth, and legislative staff, commencing no later than July 1, 2016,*
19 *to discuss the adequacy of the proposed foster care rates and rate*
20 *structure, and the extent to which the rates will achieve the desired*
21 *outcomes for Continuum of Care Reform and AB 403 (Chapter*
22 *773, Statutes of 2015). The department shall report to the*
23 *legislative budget committees no later than August 10, 2016, on*
24 *the results of these discussions. To the extent the proposed rates*
25 *have changed, the department shall provide updated projected*
26 *costs no later than January 10, 2017.*

27 SEC. 36. (a) *Notwithstanding the rulemaking provisions of*
28 *the Administrative Procedure Act (Chapter 3.5 (commencing with*
29 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
30 *Code), the State Department of Social Services may implement*
31 *and administer Article 6 (commencing with Section 16523) of*
32 *Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions*
33 *Code and the changes made in this act to Sections 11253.45,*
34 *11320.15, 11322.63, 11322.64, 11322.83, 11323.25, 11402 (as*
35 *amended by Section 65 of Chapter 773 of the Statutes of 2015),*
36 *11402 (as amended by Section 66 of Chapter 773 of the Statutes*
37 *of 2015), 11450, 11450.04, 11461.3, 11461.4, 11465, 12301.02,*
38 *16519.5, and 18910.1 of the Welfare and Institutions Code through*
39 *all-county letters or similar instructions until regulations are*
40 *adopted.*

1 (b) The department shall adopt emergency regulations
2 implementing the sections specified in subdivision (a) no later than
3 January 1, 2018. The department may readopt any emergency
4 regulation authorized by this section that is the same as, or
5 substantially equivalent to, any emergency regulation previously
6 adopted pursuant to this section. The initial adoption of regulations
7 pursuant to this section and one readoption of emergency
8 regulations shall be deemed to be an emergency and necessary
9 for the immediate preservation of the public peace, health, safety,
10 or general welfare. Initial emergency regulations and the one
11 readoption of emergency regulations authorized by this section
12 shall be exempt from review by the Office of Administrative Law.
13 The initial emergency regulations and the one readoption of
14 emergency regulations authorized by this section shall be submitted
15 to the Office of Administrative Law for filing with the Secretary
16 of State, and each shall remain in effect for no more than 180 days,
17 by which time final regulations shall be adopted.

18 SEC. 37. (a) To the extent that this act has an overall effect
19 of increasing the costs already borne by a local agency for
20 programs or levels of service mandated by the 2011 Realignment
21 Legislation, Section 36 of Article XIII of the California Constitution
22 shall govern this act's application to local agencies and the state's
23 funding of those programs or levels of service.

24 (b) However, if the Commission on State Mandates determines
25 that this act contains other costs mandated by the state for
26 programs or levels of service not described in subdivision (a),
27 reimbursement to local agencies and school districts for those
28 costs shall be made pursuant to Part 7 (commencing with Section
29 17500) of Division 4 of Title 2 of the Government Code.

30 SEC. 38. This act is a bill providing for appropriations related
31 to the Budget Bill within the meaning of subdivision (e) of Section
32 12 of Article IV of the California Constitution, has been identified
33 as related to the budget in the Budget Bill, and shall take effect
34 immediately.

35 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
36 ~~changes, relating to the Budget Act of 2016.~~